

CC12

JURA CLERI:

OR AN

APOLOGY

For the *Rights* of the long-Despised

CLERGY,

Proving

Out of Antient, and Modern Records,

That the Conferring of *Revenues, Honours,*

Titles, Priviledges, and Jurisdiction upon Eccle-

siasticks is Consistent with Scripture, Agreeable

to the Purest Primitive Times, and Justified

by the *Vsance*, and *Practise* of all Nations.

By

PHILO-BASILEUS PHILO-CLERUS.

Ἰερογύριος ἐπὶ τῷ πρυτανεῖ ἐν ἐκκλησίᾳ Ἀγαθῶν ἀναβιβάντης.

Ign. Ep. ad Smyrn.

Sacerdotum Splendor, & Exaltatio haud dubie ad ipsius Religionis gloriam
redundat, nec fieri potest, quin Religio illa sordet, ejus Ministri Populus
despicit. Gabr. Sionita.

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T O T H E
S A C R E D M A J E S T Y
O F
C H A R L E S I I.
*By the Grace of God, and his undoubted
Right, King of Great Britain,
France, and Ireland, &c.*

Most Dread Sovereign,



A M O N G S T the numerous
Train of Mercies, that attend-
ed Your Majesties Thrice hap-
py Restoration, Reviving the
Hearts of a drooping Clergy
may deservedly be reputed
none of the meanest. For if
a true, impartial Estimate
were taken of all mens Suf-
ferings, it would be found
no Calling whatever drank so deeply of the bitter Cup
in our unnatural Warres as that, all the Rich Rewards

The Eistle Dedicatory.

of Learning being withdrawn, Priviledges reverst, their Lands exposed to Sale, and Houses to Dilapidations. But tis an Observation of some, that after the most bloisterous Stormes, when the Ark of the Church has been long floating, and ready to sink, God usually sends the fairest Calmes. Near 20 yeares together has the Dignity, and of late the Office of the Ministry lain *bleeding*, and twas drawing to its *last Gasp*, if a Miracle of Providence had not sent a *Soveraign Balm*. And however for the present the wounds are a little bound up, yet has it contracted so much weakness through ill Vsage, that twill ask no small time to recover its strength, though it meets with never so much tendernes & Indulgence from its *Nursing Father*. Tis recorded to the Eternal Renown of the great *Constantine*, that amongst all his Imperial Titles he gloried in none more, then being styled, the *Advocate of Gods Church*. Pardon then, *Great Sir*, an holy Presumption, if so inconsiderable a thing as I address my self to one of the Potentest Monarchs upon Earth, in behalf of the long oppressed Embassadours of Christ. The *Bounty* and *Munificence* of your Godly Progenitours, conferred large *Revenues*, and *Immunities* upon them, which the Sacrilegious hands of some late Innovatours sealed upon. Now is there any thing more becoming the *Royall Majesty of Great Britain*, the Eldest Son of the Church, Defender of the Faith, and Heire of such a *Father*, then to restore God his own. *Tertul.* relates that the Heathens upbraided the Christians with their penurious basenes in matters of Religion, and how much the Papists were scandalized at our first Reformers for diverting the Churches Patrimony to private Uses, all the world is too well acquainted. Let this Reproach be rowled away

The Epistle Dedicatory.

away from the Gospel, and let not Babylon be more liberal to uphold Idolatry, then Zion is to maintain true Religion. The Eyes of all the *Reformed*, and *Po-pish* world are upon you, tis the *Hope* of the former, and *Fear* of the latter, that under your Protection our British Church may recover its pristine Glory. But if your Majesty expects to have the Church furnish'd with able accomplished persons, *proportionable* encourage'mēts must not be denied, least the most pregnant Wits, and raised Parts turn aside to the more gainfull Professions of Law, and Physick, which Promise both ampler Rewards, and higher Preferments, and are not accompanied with so vast a charge as the *Study* of a *Di-vine* does necessarily require. I know the *winning* of *Soules* is in it self a sufficient *Motive*, but all that are bred up in the Schools of the Prophets, do not presently shake hands with the world in the heat of their Youth, but must have some other *Allurements* suitable to flesh and Blood. *Wisdom*e it self approves this course and uses the same *Attractives*, *Riches*, and *Honour* are with me *Prov.* 8. Now since your Sacred Majesty had no hand in first retrenching their *Priviledges*, and alienating their *Revenues*, tis hoped you will not contract the least *Guilt* by Tolerating what may be redrest. So will you engage the Prayers of the Church, a *strong-er Guard* then all your Victorious Armies. So will your Kingdomes prosper; which otherwise must never look to be happy, whilest the Church is miserable And how powerfull will the *United Intercessions* of so many *Thousands* be, dayly imploring the *Throne of Grace*, that the yeares most Barbarously cut off from the Royall Father may be added to the *Son*, that as the Glory of the second Temple went beyond that of the first,

The Epistle Dedicatory.

first, so may the Holyness, and Splendour of our Restored Hierarchy exceed that of former Ages, which is the Soules Desire of

*Your Majesties Most Faithfully Devoted
and Sworn Subject in all Affectionate Loyalty*

Ph. Ph.



A



A Preface to the *Ingenuous Reader.*

I Presume there are few in our British Israel unacquainted how deeply the Reputation of our Clergy has been wounded by the Fiery Darts of Fanatick Spirits, and scoffing Atheists. And I wish those lately in power could wash their hands from the guilt of this sin, which they too much adopted, either by countenancing, or conniving at, and thereby hastned their deserved Ruine. Twere fond arrogance to hope that my small Mite should much contribute to vindicate their Honour, and wipe off that black dirt, wherewith they have been besmeared: yet could I not forbear paying my due Respects to that Sacred Function, and manifesting my sence of their unparel'd sufferings. Many Months did I wait, expecting, that some learned Pen would have taken this task in hand, but when I saw those Eminent Persons (whose Bookes I am not worthy to carry after them) either otherwise imployed, or forgetfull of this grand Concernment: rather then so good a Cause should be betrayed by silence, I was perswaded to consecrate my weak Endeavours (the product of some leasure Houres) to the Churches Service. I know here are sundry Passages that will not relish with many, from whom I must expect slender thank for my paines, but let the issue be what twill I shall content myself, with that of an Ancient, Non tanti est unius vita, quanti est Dignitas omnium Sacerdotum. Nay if the losse of my poor Fortunes, my Hopes, my Life, could purchase my Dear Mothers Tranquillity, and happiness, I could gladly sacrifice all, and make it the Birth of my first Action. Many a tear have the breaches of our English Zion cost me; and all my hearts desire is, that Sober Persons would lay aside petty Animosities, and for the Churches Peace, on the one hand, not peevishly scruple innocent Ceremonies, nor on the other rigorously obtrude unwarrantable, but unite against the common

Epistle to the Reader.

Common Enemies, Papists and Sectaries, whose implacable malice equally threatens ruin to the Reformed Clergy, the one directly striking at their very Being, the other designing the same thing, but taking an oblique course by undermining their comfortable Subsistence, Honours, and Priviledges. This only I must disclaim before all the world, that I have not the least thought in the following Treatise, to become an Advocate for Luxury, Pride, Idleness, or any thing that is morally dishonest: the severe Reformation of which I both hope, and wish those in Authority may vigorously endeavour. Scandalous Loiterers being no lesse pernicious then Schismaticall Innovatours, and sooner may my hand rott off, and my Tongue cleave to the roose of my mouth, then ever I speak, or write in defence of such, or against the power of Godliness. My Name I have studiously suppress, least the inconsiderableness of it should create Prejudices, and injure the truth. But if any be so curious as to enquire after it: Let him know that I am one who can safely Profess, that ever since I was able to look into Controversies, have alwaies revered Gray-headed Antiquity, and detested factious Novelty. Nor had I held my peace formerly, but that I despaired my poor Bucket could have done any thing to the quenching of such a Fire, when the whole Nation was on a light Flame. This farther encouragement I have to use the more ingenuous Freedom, as not any way partaking in what is here contended for, nor (as to my particular interest) gaining the least by our late happy Revolution. And as farre as I am acquainted with my own deceitfull heart, I dare no lesse confidently avow, that I was not induced to put Pen to Paper, by any ambitious Hopes, a private Retirement (which through mercy I enjoy) being all I covet: So that my great, my only Aime is, Piety, and Peace, the flourishing of the Church, and State, which like, Hippocrates Twins, have long Mourned, and tis hoped will now Rejoyce together.



THE CLERGIES REVENUES.

CHAP. I.

A Priesthood proved as Antient as the World, continued in all Ages, with an Honourable allowance to the First-born, and the Levites.



THAT God in all Ages has had a select number deputed to attend his Publick Worship, and Minister in Holy things, is a Truth that none can deny, who own the Scripture. For 2000 years, and upwards after the Creation this was intrusted to the First-born, as is evident out of Philo, Josephus, Maimonides, and other Jewish Writers, who all unanimously acknowledge that the Priesthood was ever annexed to the Primogeniture till the Law given by Moses. It being the confessed duty and privilege of the eldest, to take care of Sacrifices, and other Rites then in use. * Thus Adam, Seth, who taught his children to call upon the name of the Lord, Gen. 4. And Enoch those Ante-Diluvian Patriarchs; and (that Heathen Janns) Noah a Preacher of Righteousness 2. Pet.

B

* Bertram de
Rep. Jud. c. 2.
Grot. in Num.
19. 22.

25.

An Apology for the

2. 5. After the Flood, *Melchisedeck*, *Abraham*, *Jacob*, &c. whilst the Law of nature lasted.

Upon the delivery of the Mosaical Law, we find the First-born redeemed and discharged from their attendance, God himself giving them a *Writ of ease*, and designing the Children of *Levi* for their Successors, *Numb.* 3. 45. In whose hands the management of Ecclesiastical Affairs continued, near 2000 years more without any considerable interruption, till in the fulness of time by the Incarnation of the Son of God, the Priesthood of *Aaron* being abolished, our Mediatour of a better Covenant, no lesse faithful in his house then *Moses*, *Heb.* 3. left not his Lambs without Shepherds, but appointed Preachers of the Gospel to take the room of the cashiered *Levites*, and promised his presence with them to the end of the world, *Mat.* 28.

Thus we see a Priesthood clearly deduced, and that God never wanted some in a more immediate manner to attend his Worship from the day the first foundation of the earth was laid. Our next *Quære* is what proportion was allotted for the maintenance of these three distinct Successive Orders. For the first-born there is little controversie; it being granted on all sides, that their Privileges and Honours were great, being appointed Lords over their Brethren, a Princely Prerogative, *Gen.* 49. 8. and a double portion assigned them, the better to support the Dignity of their Degree, and *Function*. See *Grot.* upon the *Deut.* 21. 17.

*Chryf. de Sa-
cerd.*

We come in the second place to surveigh the Levitical Institution, and enquire what a liberal allowance God made them. Now the best course to take an estimate of that is by examining the Proportion this Tribe bare to the rest. You have all the 12. Tribes, that were able to go forth to war, mustered and polled, *Numb.* 1. 46. compared with the 3. 39. where the *Levites* are numbered from a moneth old and upwards: yet see what a vast disproportion, the former amounting to 603550, the latter to barely 22000. none excepted. Let us then but make some small allowance for those under 20. and above 50. years old, ages excused from the war, and so not reckoned in the first summe: these we cannot rationally imagine to be lesse than a third part more. So that by this computation, the *Levites* will not amount to above a fortieth, some say a fiftieth, or 60th part of the nation. Their numbers

Josephus.

numbers being thus cast up, let us descend to the proportions of their allowance. And here I am perswaded, that some Fanatick Sacrilegious persons will be ready to blaspheme, with that prophane *Alphonfus*, in a paralel case; if they had been the All-mighties Councillors, they would have made a more equitable division, then we find recorded, and would have judged a fortieth part more than sufficient for such Loiterers. But the most wise God made them another gets proportion, allowing them 48 Cities, * some Royal ones, and the fairest in the Nation, with the adjacent Country 2000 Cubits, or a mile about every way; no small matter in that petit tract of Land, hardly exceeding four of our larger Counties. *Hieronym. ad Dardan. Adricom.* Adde to this the tenth of all increase of Corn, Cattel, First-fruits, offerings, Vows, Redemptions, amounting to no lesse than 24 several dues, as the Learned *Buxtorph* * collects out of the Rabbies: and which * *Synag. Jud.* may justly come in as none of the meanest advantages, all this brought to their Barns, without any farther trouble, charge or consideration; that Nation ever conscientiously paying their Tithes, and frequently preventing the demand, being perswaded it was the Hedge of their riches, according to the * *Talmudical* *Drus. Prov.* Canon. Now put all this together, with many other particulars mentioned in *Josephus* and the Rabbies, even *Selden* himself (none of the best friends the Church ever had) * is forced to grant that *Rev. Hist.* this smallest Tribe had neer three times the annual Revenue of *Tith. c. 2.* the largest among them. If any one desire to be better satisfied about this, let him but read *Philo* *ὅτι τὰ πρῶτα ἱερὰ ἱερῶν*: out of whom I shall set down this one remarkable observation, that the people were commanded to bring their offerings first to the Temple, that the Priests might not be upbraided, or blush to take their provision thence, as not coming from the courtesie of men, but from the bounty of the Lord of all. And he farther adds, that through the populousness of the Land, the abundance was such, that the poorest Priest in the 24 Courses, might justly be reputed a wealthy person; concluding, *ὅτι βασιλεὺς ἵσθι συμπομπῶν, καὶ τὴν μὲν πλείονα τῆς ἐξαυτοῦ ὁ γέμει*. Ibid.

Now this was the maintenance allotted by the most prudent of Law-givers, confirmed by an inviolable Decree, as the *Magna Charta* of that Nation, and chalking out to others what method they

they should use in suitable Cases. Nor do we find the great Searcher of Hearts, straitning his hand upon any such *politick considerations*, as that *Riches puff up*, and tis best for Religion to keep its servants in poverty. These covetuous Axioms are of lesse standing, and cannot challenge God for their Author.

CHAP. II.

Equity, Scripture, and the practise of the primitive times plead for the Revenues of the Gospel Ministry, with instances of the Heathen bounty towards their Priests.

WE have seen the First-born, and the Leviticall Priesthood liberally provided for, and can lesse in reason, in equity, be allotted to the Ministry of the Gospel, which the great Apostle of the Gentiles proves to be more excellent and glorious, and in point of honour far beyond it, 2. *Cor.* 3. 7, 8, 9. the one being employed to kill, and slay beasts, the other being Commissioned Embassadors of Jesus Christ. Tis confessedly true then that under the Old Testament, God had a peculiar right to the tenth part of every mans estate, as a Tribute due to his Sovereignty: and all Laws assure us, that what was once legally invested in a person, continues so for ever, unlesse forfeited or resigned. Now the former cannot be supposed, and for the latter we find nothing in the New Testament, wherein God either directly or indirectly has quitted or renounced his title, or changed it for another rate. At the first expresse appointment of Tithes, *Numb.* 18. 21. Tis manifest the principal end was to maintain Gods publick worship, and for the comfortable subsistence of those that attended it. Admit then there be some alteration as to the manner, yet the substance still remains. And the Apostle seems *totidem verbis* to confirm it, 1. *Cor.* 9. 13. 14. They which wait at the Altar are partakers - even so - in the self same manner as it was under the Old Testament, (*mutatis mutandis*) shall it be continued under the New, tis both Equity, and the divine designation, *For the proportion was given to the service, not the men.* I know
some

some insist much upon the prophesie of *Ezekiel*, c. 45. confessedly *Villalpandus*, respecting Gospel times, wherein God commands the Land to be divided into three parts, reserving one for himself, his Sanctuary and Priests, appointing a second for the Prince, and the remainder to the house of *Israel*. And tis an observation of *Origen*, *Hom. 11. in Num.* and of *S. Ausins* in *Psal. 146.* that if under the Law the tenth was paid, then more must be paid under the Gospel, because our righteousness must exceed the righteousness of the Scribes and Pharisees, *Mat. 5. 20.*

Tis true we have not such clear proofs of the payment of Tithes in the three first Centuries, necessity of the times, and frequent Perambulations forcing the Professors of the Gospel to neglect their just rights. But to draw an argument hence against them, is all one, as if a man should dispute against the necessity of Circumcision, and Sacrifices under the Law, because God dispensed with them, during the 40 years wandering in the Wilderness, till the children of *Israel* came to a settlement. *Josh. 5. 5. Amos 5. 25.* Certain it is, the Primitive Christians did not content themselves with Decimating only, no, their fervent zeal carried them out farther, many times to sell all their estates, and lay them at the Apostles feet, *Acts 4.* which 1000 of devout persons imitated in after Ages, either in their lives consecrating some part of their substance, or at their deaths bequeathing it as a Legacy. Nothing more frequent in those early times, then these *Deposita Pietatis*, *Origen* *Traff. 31. in S. Mat.* mentions some Ecclesiastical Rents and Incomes in his time. And *Cyprian*, when he found his hearers somewhat slack, and cold in their contributions, upbraids them, That they did not give so much as Tithes, *Nunc de Patrimonio nec decimas damus: De Unit. Eccl. parag. 23.* Is not this sufficient? *Eusebius* speaks of a House belonging to the Church under *Aurelius A. 273.* which he commanded *Paulus* to surrender up. *Eccle. Hist. L. 7. c. 30.* Nay we read in *Optatus Milevitanus L. 1.* that the Church of *Carthage* had ornamenta plurima aurea, & argentea. And if scoffing *Lucian* may be credited, in *Traians* daies, he describes one of the Christian *ὑπερβα*, or Churches, richly guilt, and adorned. *Dialog. Philopatriis.* Strange pomp! even whilst the persecuting fury lasted. Tis granted, the Pagan Emperours did alwaies sequester such

Testul. Apologe
c. 39.

estates as were thus devized. *Euseb. Eccl. Hist. l. 9. c. 8.* Hence we find the possessions of *Lucina*, a rich *Roman* Lady, demised to religious uses, escheared by *Maxentius*, and her self banished. *Salv. Enn. 7. l. 8.* And these Sequestrations lasted till *Constantine* and *Licinius* revokt that impious decree, commanding all Houses, Gardens, or whatever goods belonged to the Church, to be restored, *Euseb. Eccle. Hist. l. 10. c. 5.* which puts it beyond dispute, that there were Ecclesiastical Revenues before their time, otherwise that Edict had been in vain. And soon after free leave is given to every man to exercise his charity of lands or goods, *Cod. Theod. l. 16*, without danger of a statute of *Mort-main*. So that the storm being thus happily blown over, wealth came tumbling in upon the Church. *Constantine's* great *Largeesse* is recorded by *Eusebius*, (and with some fabulous additions) in the Life of *Silvester*, by *Damasus* and *Anastasius*. *Cedrenus* farther informs us that in the 20 and 26. year of his Empire, he laboured to pul down the Idols with their Temples, and to convert their demeanes to the worship of the true God. Many of his religious Successors trod in the same steps, and the world did as twere with an holy emulation contend, who should most adorn the Spouse of Christ. Whence tis almost incredible to what splendor the Church grew in a few years: and this prosperity continued till new tempests arise, and those barbarous Inundations of the Northern fury over whelmed all.

Nor was this proper only to the Servants of the true God, but even Pagan Idolaters practised the same. None amongst their numerous Deities (whereof *Varro* and *Hesiod* reckon up a parcel of 30000) wanted his Priest to serve at the Altar, but their great Gods were not content with a few, *Jupiter*, *Mars*, and *Romulus* had ever good store, who lived in great state. *Strabo* recounts a thousand Hierodoulists belonging to the *Priests* of *Bellona*, *l. 12. Geogr.* Now the very light of nature did dictate this equitable rule to them that those who served at the Altar should be maintained by it. Hence we find *vast allowances made them, with standing demeanes; and Tithes too, not occasion ill, and to *Heracles* alone, but constant, but to all, which custome many conceive they borrowed from the ancient Patriarchs, + the sons of *Noah* spreading it among the Nations, the

Devil

V. Concil.
Berytin. de
Eccle. Edess.
Agrippin. A.
356. Rom. 4.
A. 375.

Tulli de Di-
vinat. Dionis.
Halyc.

* Brentius in
Levit.

Devil ever Apeing the true Relligion. I shall not at present enquire after more then the Greeks and Romans ,who successively swaied the world, and for the former of them Harpocraton is witnesseth Θ η ν ϵ μμετινὸν τὰς δυνάμεις η ς περινομεῖναι τοῖς στοῖς καθίστην, joynd to that of Callimachus Ἄλλα τοὶ ἀμυρτεῖς δεκάτη φόροι αἰὲν ἀπέχουσι πέμποντα.---Then for the Romans, Varro, Caro, Plutarch in Lucullo, Livy of Camillus, l. 5. have invincibly demonstrated it to be their practise. If any man desires to search further, he may find Pliny affirming of the Sabeans, that it was not lawfull for the Merchants to dispose of their Spices and Perfumes untill the Preists had set apart the tenths for their God Sabis.

Nat. Hist. L.
12 c. 14. &
19.

I shall not insist upon that of Festus, *Decima quaque Veteres Diis suis offerebant*, because Scaliger and Selden except against it, though I think without any ground; but conclude this Paragraph with that of Junius Paral. l. 3. c. 7 *Decima jure omni post hominum memoriam Deo fuerunt sacra*. Thus the very Gentiles, who had not the law, were yet by nature directed to doe the things of the law. But I have only glanced at this, it being so copiously handled in others.

CHAP. III.

Church Revenues long untouched, C. Martel the first that invaded them, but soon seconded by Henry the Eighth and others, though most unhappily.

For some 100 of yeares the Church Demeanes were look'd upon as sacred, and Tithes an estate entail'd upon those that attended the Divine service. And how durst any earthly power attempt the cutting off that which the King of Kings had serled by a perpetuall Act, and never to this day reversed or null'd. During all the Leviticall Administration, though we meet with many of the Rulers desperately wicked, yet still they retained so much reverence to Religion, that none arrived to such an height of Impiety in their greatest exigences, as with a sacrilegious hand to touch these holy things. Under the Gospel, C. Martel is branded

ded to be the first that led the dance, and taught Christian Princes this crying sin. The occasion thus, as tis recorded by *Gaguin l. 3. p. 43.* Upon the Inundation of the *Goths, Vandals* and other barbarous Nations into Christendom, the bowells of the Clergy yearning towards their distressed Brethren, they were willing in such a juncture to mortgage the best part of their Revenues to furnish this famous Warrior with an Army to suppress the Barbarians, upon solemn promise, and oath of restitution (with advantage) when the danger was over. But sword-men are not easily held by such weak obligations: for having once got them into his clutches, and tasted the sweet of so fat a morsel, being drunk with successe, he divided them amongst his Victorious Legions. *Hinc nostra lacryma*, hence the Church may date the original of her ruine. For the gap being opened, there wanted not prophane Spoilers enough to follow the steps of this bold leader. Now tis but a short cut from *Callis* to *Dover*; and this example easily wasted over that Straight. Several attempts were made against the Clergies wealth, but none took till *Hen. 8.* who had too much occasion to quarrel with the Monks and Friars, in whose Cells and Cloisters, the blindness and superstition that reigned from the ninth to the thirteenth Century, had placed all Devotion: though however Monasteries were then abused, and are now lookt upon with prejudice, yet in the Primitive times they were the * Seminaries of Learning and Religion; and under this notion are so much cryed up by the Antients. Now the King finding many Tithes converted, and appropriated to these Houses (which some conceive to be one main cause of their downfal) being carried away by the error of the times, and transported by passion and covetousness, never thought of restoring them to their proper owners, but politically concluded the best way to secure all was to get the whole Temporalities and Revenues of Religious Houses, by Act of Parliament escheated to the Crown, which was soon huddled up. Next that the Laity might be the more engaged to stand by him, and oppose *Rome*, he was content they should partake in the spoiles, and so divided them amongst his Nobles, with a prodigal hand distributing as freely as he received. In this fatal Desolation, some reckon there were swallowed up no lesse than 645. Monasteries, 96 Colledges.

* *Hospinian.*

110 Hospitals, 2374 Chanteries and Free-Chappels, to which may be added 3800, and odde impropriate Churches, to this day maintained by pitifull Arbitrary Pensions, though his Sacred Majesty, as becomes a true Nursing-Father, has already taken it into his Religious care, to make better provision for some, and tis hoped will proceed to perfect so good a work.

The great Oracle of our Law, my Lord Cook, complaines much of this alienating Abby-Lands, and saith twas every good man's wish, that their Revenues; and Improprate Tithes, had been converted rather for the advancement of the Church, to a better maintenance of the labouring, and deserving ministry, Reliefe of the Poor, and such pious uses, which would still have retained a Character of their Devotion, that first dedicated them, and prevented the Scandall, and Obloquy thereby brought upon Religion. All the world being amazed at such impiety, and the many glorious Projects urged in Parliament, to colour the Action, which we have recorded, *Inst. B. 4. p. 44.* coming to just nothing, the burthen of the Subject being afterwards rather increased, then lessened. I am none of those that desire to pry into the secrets of the Almighty, much lesse to give sentence with the bold Romanists, but tis somewhat observable that though Henry the Eight left an hopefull Progeny behind him, One Sonne, and Two Daughters, (*and if multitude of Wives would have done it, might have had many more*) yet in a few yeares there remained not one of his seed to sit on the Throne of *England*. The righteous God many times visiting the sinnes of the Father, upon the Children. And if a curious eye would but run over the List of those Courtiers and Grandees, enriched by the spoiles of the Church, it will soon be discerned the blessing of the Lord went not with them; many notable Judgments breaking in upon most of their Persons Families, or Estates. The great Ring-leader *Martels* issue lasted not beyond the Third Generation, and Cardinall *Wolsey*, who began with the smaller Covents, did not hold up his head long after, but soon declined in the Royall Favour, and came to an unhappy end. *Stanislaus Socolovins* takes the *Turkes* successful Invasion of *Hungary*, to be a Judgment upon that Nation, for their undervaluing the Clergy, and seizing upon their Temporalities. And *Gul. Tyrins* imputes the dismal blow given to the Templars

*Harpsheld
Hist. Eccles.*

*Spelm. 41.
Tithes.*

*See Wolseys
Life.*

Oration. Stan.

*L. 7. de Bell.
Sacro.*

An Apology for the

fortunes to have proceeded from their detaining Tithes, and invading the Glebe-Land of the Church. Whosoever desires to see more of this nature may be furnish'd at large in *Bredenbachius de Sacrileg. Vindic. & Pœn.* so true is that of Solomon, *It is a snare to a man to devour that which is holy*, Prov. 20. 25. Let no man then imagine that estate will long prosper, which is purchased by robbing of God. For *Calvin* himself, stiles Tithes, Gods proper Right, a *Sacred and Royall Tribute*, which he appointed to be gathered in his own name, to silence murmurings. *Com. in 27 Lev. p. 2.* God is the great *Land-Lord* of the world, *the Earth is his*, Psal. 24. 1. *Nine* parts he has Farmed out to the Sons of Men, the *Tenth* he requires as a Reserved *Rent*, and Acknowledgment that they hold it of him, appointing heretofore the First-born, then the Levites, and now the Preachers of the Gospel his Stewards, and Receivers.

Cook, L' Evef-
que de Winch.
Case.

I shall not here nicely debate the Tenure of Tithes, many learned persons plead the *Jus Divinum* of them, and modestly will allow me to go thus farre that they can shew a fairer title to it, then sundry other things that rigidly put in for it. Tis most clear, our Law is point blank, * *Dismes sont choses spirituels, & due de Jure Divino.*

Spelm. de non
Tem. Eccl.
Sclater, Mon-
tague, &c.

But let Gospel or Law say what they will, too many to this day, obstinately detain the Lords Portion as their just Possession, given to, or bought by their Sacrilegious Ancestors, of such, who many fear, will at last, hardly justify their Authority in selling, and alienating, or secure the Purchasers. Then *Caveat Emptor*, all Lawes esteem the detainer of stolne Goods, little better then the Thief. Nay some plead Prescription, and think that 100 years quiet Possession, is a sufficient Title, but *Nullum Tempus occurrit Regi*, The King of Heaven cannot loose his Right by time, especially when so many of his Messengers, have often in their Masters name put in Exceptions, and made Demand. Tis a judged Case, *Dominium transferre non potest, qui ipse Dominus non est.* Now when things are once *Consecrated to God*, the property is *invested in him*. And who is so bold as to enter the List with the All-mighty? can his heart endure, or his hands be strong in the day that God shall plead with him?

Others comfort themselves with this, that though a private person

son cannot revoke his gift, yet the Publick Magistrate, & the Body of the Nation may doe much. I must not be too busie in stating this ticklish point; yet, methinks, Reason seemes to suggest, that when once the Supreme Powers, have by their consent, ratified such a Donation, as in this case it has been done over and over, it may be judged *Tantumvult*, and they equally engaged; but as I dare not condemn, so I cannot absolve, unless with the late Earl of *Pembroke*, I should ascribe *Omnipotency to a Parliament*. 'Tis sufficient to me, that the God of Heaven has enacted a peremptory Decree, *Ezech. 48. 14.* which all that fear him will be tender to transgress, *that which is once holy, can no more become alienable*, especially since Interpreters generally take this Vision to concern the daies of the Messiah.

I know there have been many conscientious persons, who have trembled to touch these hollowed things, and have in *tenderness restored the Churches Patrimony, which their daring Progenitors seized upon. The Lord remember them in the Great Day of Account, and increase their number, that *Church-Robbing* may not still be the sin of *England*; which, though an Earthly Tribunal may acquit men of, yet there is a *Court of Conscience*, another *Impartial Bar*, that all must appear before, where the Judge is a Party, *You have robbed me, Mal. 4.* And let not that known Rule be forgotten, *Non remittitur peccatum, nisi Restituatur ablatum*. But enough of this, if not too much.

Lands at *Abby Dore* in *Hereford shiere*. *Llantony* in *Gloucester shiere*, &c. a for others to write after. Nor does there want matter for their Charity. All the Revenues of the *Templars, Hospitallers, Knights of *St. John of Jerusalem*, with the whole Order of *Cistercians*, &c. being by Papal Dispensation, which still holds, wholly exempted.

* Amongst others that Eminent Patron of Learning and Religion, the Lord Scudamore has lately disprivileged, and made subject to Tithes, several of his Worthy Copy

* *Rebuffus de Decim. Gregor. Tholosan.*

CHAP. IV.

Pretences of Reformation. Objections from Scripture answered. Many Inconveniences attending the Clergies Poverty.

I Know the great Pretence, and Cloak for Sacriledge has been, and still is, to reduce Religion to the *Primitive Purity*; but the event most commonly, if not ever, has proved it to be no other, then to *bring the Clergy to the Primitive Poverty*. *Lud. Vives* in his Com. upon *S. Austin, de Civit. D.* tells us, that *Ceres* Priests put on a Coat the day of their Initiation, which they never left off till such time, as it was so ragged, that it would no longer hang to their backs. And if Spiritual persons were left to some mens allowance, this would be their Portion, and *necessity would constrain them to fast, and pray*. Certainly it is a shameful blot that will never be wiped off from our Reformers, that instead of redressing grievances, and removing corruptions in Religion, they have still unhappily fallen to plundering Church Revenues. Thus 'twas in *Germany, Sweden, Denmark*, and I wish *England* could be left out of the Catalogue. I am ashamed thus to uncover my Mothers nakednesse, and that these things should be published in *Askelon*; but they are too notorious, acted in the face of the World. And I scarce have heard or read of any Reformation free, except that of *Wittenberg*, who contracted lesse guilt then their neighbours, imploying most of the demolished Abby-Lands, in other publick and Religious uses. So that I may complain with the Father, *Non Pietate everterunt Idola, sed avaritiâ*. And if it be lawful to speak it, I must needs say it has been often my fear, that too many were instrumental in, and rejoyced at the Extirpation of Popery, for no other reason, then that it made way for their Sacriledge, and if danger of loosing their ill gotten goods did not terrifie, they would as little be troubled at its return.

But the thread-bare excuse for all is, That they were bestowed
in

in dark times, and to superstitious ends : should I grant the whole, which I shall have more occasion to speak to in the following Chapter ; yet I am half afraid, that the *ignorant Superstition of our bountifull Ancestors, will find more favour in the great day of reckoning, then the knowing Sacriledge of their Penurious Posterity.* I confesse, 'tis matter of wonder to me, that any envious eye should repine at the large Revenues of the Church, which the Liberality and Magnificence of Princes, and other Benefactors have bestowed upon it. Did their Purfes pay for it, there might be some reason for murmuring ; but when none are oppressed, none injured, many thousand Tenants gratified by good Leases, and the hungry bellies of the poor relieved by the full Tables of Ecclesiasticks, it speaks an unworthy sordid spirit, to deny others Liberty to exercise that Charity, which their covetousness will not permit. Who will grudge them a plentiful maintenance, that freely receiving, freely give ?

But some insist much upon the poverty of Christ and his Apostles, which they very zealously commend as a pattern for Preachers of the Gospel, exempting all other orders of men, and priviledging them from this strictness. Excellent Doctrine ! which allows for fair a liberty to the generality of Professors, as not concerned to imitate this grand Exemplar, nor observe his rigorous Injunctions of leaving all, and following him.

But may it not as rationally be concluded, if his life respected no other then those that immediatly attend his Worship, his precepts reach no other, that no other shall receive benefit by his Death, no other be saved by him. Though this consequence will hardly be granted, which yet undeniably follows from the Premises. Indeed we have a Command, *Luk. 9.* that the Disciples should possess neither gold, nor silver, no money in their Purfes, not two coats, neither shoes. So that if the Letter must be stuck to, why are not all Preachers, by vertue of this, enjoined to go naked, and barefoot. May we not therefore safely believe, that many of these Precepts were onely *Personal, and Temporary* ; as that, *Go not into the way of the Gentiles, but to the lost sheep of the house of Israel - and salute no man -* which all but the *Quaking Principles* acknowledge to be no longer binding. If then there be any force in those Allegations, they equally belong to all that have

have given up their names to Christ; and cannot be restrained to the Clergy alone: for if want and poverty were to be their continued portion, 'twas madness in *St. Paul* to require them to be *lovers of Hospitality*, *Ti. 1.8.* which they can exercise only in *good wishes*.

Again, is there no difference between the Apostles and us, that their practise is so much urged? They had such immediate assistance, that there was no need of study for their Preaching, whereby they had leisure enough to *fish, and make Tents* for a livelihood: but Ours are forced to pore upon Books, to meditate, write, and all hardly sufficient to search out the deep mysteries, which cost them no pains, the Spirit supplying the place of all. Now to make amends for those Extraordinary Qualifications, and abundant measure of Spiritual Graces, wherewith they were furnished above us, it hath pleased the *Lord of the Harvest*, in these later daies, to raise up Christian Magistrates, to assist and encourage his *Labourers*, and appoint them a more settled plentiful allowance.

Others mutter that *Affluence is a great Temptation*, and exposes them to Pride and Luxury. For this let experience judge whether many times *Diogenes* prove not more supercilious then *Plato*, there be not as much insolence under a Freeze-Jerkin, as a Velvet Jippo, a *Geneva Rocket*, as an *Episcopal Cassock*. Nay there are some Scores will be ready to depose, that within these few years, they saw as little *Humility*, and as much *Voluptuousness* in some ordinary Heads of *Colledges*, and *Pastours of Congregations*, (*ceteris paribus*) as ever was charged upon the late *Arch-Bishop* of *Canterbury*, or any that enjoyed the fat *See of Winchester*. Let not any one mistake me as a *Patron of idleness*, or an *Advocate for the Luxury of spiritual persons*. God, and my Conscience bear me witness, how much I abominate such a thought; all my fear is, that beggery, and the *sordid competency*, which some men talk of and project, is the readiest way to usher in *Atheism* and *Prophaneness*. For poverty of Preachers brings them into contempt; and when once men begin there, the next step is to despise * Religion it self. Inasmuch, that it may confidently be affirmed, there is nothing more dishonourable to the Gospel, or disadvantageous to the happy progresse of it, then the low condition of its publishers. Perfection is not here to be expected, the holiest men are still flesh and blood, and do we not every hour see it

* *Spenswood in Congulus.*

it before our eyes, how much *want* depresses the spirit, and cools zeal. A poor Preacher, that has a large Family to maintain, will hardly take the courage to reprove a bosome vice, in his Lordly Patron, and dissolute Parishioners; if he lives upon their Trenchers, and must stand to their allowance, many faults must be winked at, and a *fair construction put upon foul mis-carriages*. But when able parts, an upright conversation, and suitable revenues meet, that a Pastour can as well give, as receive courtesies, and not depend upon the *Benevolence* of his people; with what authority can such a man deliver himself: his Doctrine is imbraced as an Oracle, for, (as one notes) tis an error that will never be beaten out of the pates of the Vulgar, who imagine *wisdom always to go hand in hand with Riches and Power*; and tis a complaint as old as *Solomon*, that the *poor wise man*, with all his wisdom, is despised, *Eccl. 9.15*. May it not then justly be feared, that poverty of the Clergy will beget a dull and stupid irreverence in the minds of ordinary persons? Majestie it self being apt to be slighted and trampled upon, when destitute of its accustomed state: and our Judges find, theres nothing does so much purchase them the Cap and Knee of the trembling multitude, as their Robes, Pomp, and Grandeur. Sure I am, tis one of the greatest scandals to the Papist, to see the Magnificence and Splendour of their Prelates, and the meanness, I had almost said beggary, of some of ours. And, though the power of Religion does not consist in these externals, yet something must be allowed to *Christian Prudence*, which may well suggest this seasonable advice to our Governours, to restore God his own, who gave *Cesar* his. *Hieronym. de Cevallos* is my Author, that if a true estimate were made of all the Spanish Territories, 'twould be found the Ecclesiasticks posselt near as much, if not more, then the Seculars. * *Boterus* goes a step farther, who has a conceit, That for the *Reverence and Wealth* this nation bestowed upon the Clergy, God gave them the *Indian Mines*. And their vast Demeasnes in *Germany, France, Italy, Poland, &c.* almost surpasse belief. For the Eastern Churches, if *Hercules* may be measured by his foot, the riches of the ancient Greek Patriarchs, may be conjectured at by one * *Theophylact*, who kept a stable of 2000 Horses, with all other things answerable, and by the multitude of their * *Officials*, recorded in unquestionable Historians.

* *Relat. Univ.*
L. 1. p. 4.
Brerewood
Enq.
Sands Eur.
Spec.
* *Cedren. p. 638*
Ed. Par.
* *Codin*
Curopolat. de
Official. Eccl.
Constant.

Then

Then for the great plenty and Luster they formerly lived in amongst us, we may judge by one Metropolitan *William Warham* A. 1504, when no lesse a Peer then the Duke of *Buckingham* was his steward, and cheife Butler riding before the first Messe with his white staffe at the Archi-Episcopal Inthronization. And the many stately Fabricks of Pallaces, Churches, Colledges, Hospitals &c. built by their purses, stand Eternal Monuments of their Noble Minds, and to upbraid the Ingratitude of Posterity. For now tis grovn the reproach of our Reformed world, that for the most part they have taken up the *Niggardly Opinion* of that Apostate Disciple, who thought all to be walte that was bestowed on Christ in such a sort, and would *make the strict Rule of meer necessity an adequate proportion for the great Supravisers of souls*. As if the bountifull hand of God which has dealt so liberally with all other Degrees, was only straightned towards his own Inheritance. Is it not strang in a Christian Kingdome, to see every *half-witted shallow-brained Fellow* of an other profession, leap into a considerable Estate, purchase the lasting Inheritance of some 1000, without the least envy or censure; and yet the petty Salary of £0, or 100 per An. grudged the Noblest, and best-furnished Souls the Earth beares. Twas the saying of a wise States-man, that *Scandalous Maintenance makes Scandalous Ministers*, and what pityfull Sors many grow by reason of short Stipends, becoming obnoxious to the Scoffs and Derision of Prophane ones, experience sadly testifies. Assuredly then, if a man should make a *Covenant with Hell, & Contract with Satan* to supplant the kingdome of Christ, he could not proceed in a more hopefull method, then to drive his Ministers to Difficulties, and Straights. I can safely profes my self as little a Freind to Rome, as any person living, yet can I not but commend this vertue in an Enemy. And I take the Splendour, (I had almost said) prodigall Maintenance of their Clergy, to be the greatest support and Pillar of that long-tottering Structure. Now is it not a reproach to a Nation professing the purity of the Gospel, that the Idolatrous Masse-Munger amongst the Romanists, and the Pagan Sacrificers should receive a more ample and honourable allowance then the Faithfull Servants of the true God. Nor need any one dread the Clergies growing too rich if the Revenues were as large againe. Since *Hospitality and Charity are two Principall Qualifications*

tions required at their hands and due from them; these will keep them low enough, and prevent their Purchasing. To say nothing of the Dilapidations, and deplorable ruines in so many late flourishing Cathedrals, and other ancient Piles, which are sinking, unless supported by their Munificence. Nor to mention their chargeable Education in the Universities, which commonly eats out most of their Portions, the expences of Bookes, 600 Pound being soon consumed in purchasing an indifferent Library of some choice Authors in each kind, as many have made appear. Nor lastly to take notice of crazy bodies the Epidemicall Fate of most hard Students, whereby they are enforced to more then ordinary charge of Physick, and other necessities. And if their providence has not laid up against such a storme, (which considering the premises, and their ingenuous manner of living cannot rationally be expected) both they and theirs, must look to encounter Hunger, Nakedness, and such like hardships, or (which goes nearer then all the rest to a generous heart) turn *Profest Mendicants*. Moses made better Provision for his Old Testament *Levites*, when it descended as an Inheritance to posterity, when Age was excused, a Dispensation being given after 50 yeares, the Gray-head taken care of, Widows supported, and the Children (unless impotent) ever succeeding the Parents in the same Employment. But under the Gospel, the poor Pittance allotted dyes with the Incumbent, the Function being not confined to one Tribe or Family, but any Persons duely qualified are gladly admitted, whereby many times the Progeny of severall eminent Worthies in the Church, that thought their Lives not dear for the Testimony of Jesus, whose Charitable hearts towards the poor Members of Christ would not suffer them to hoord up, have been exposed to innumerable difficulties, the Publick never regarding them, one of the Foulest Spots in the Fair Face of our Reformation. And our shamefull neglect herein, does in a Politicall Sense much justifie that Doctrine of Devills, Forbidding the Clergies Marriage.

Vossii Biblioth.
Dr. Wilkins
Preacher.

CHAP. V.

Some harsh expressions concerning the Clergies Revenues, in the Writings of the Antients, and Modern Reformers, examined.

TIs confessed, we meet with many bitter Invectives dropping from the Pens of some of the Primitive Fathers about this Subject. But if their words be well weighed by an unbiassed Reader, and one place compared with another, it will appear, their heat was not against the Revenues of the Church, which in cold blood they ever commend, but the abuse of them, the Pride, Covetousness, and Luxury of the Clergy, which many times are unhappy Consequents, no necessary Effects of Plenty, and good Laws may much, if not wholly restrain them. For that common Sentence, which is almost worn out, being so frequent in the mouth of every Ideot, *Hodie venenum infusum est in Ecclesiam*, who knows but it might be a device of the Old Serpent, to nip the tender buds of growing charity in those early times, for Satan was never more concerned to put his wits on work then now, when all things smiled upon the Church, whose flourishing is ever unwellcome news to him. At best, (if it be not feigned, but a real voice) I take it to be no more then a Divine admonition, or *the Rapture of a Devout soul breathing out its fears*, what might be the issue of so suddain, so great a change. For as it may prejudice the fight to be brought presently out of a dark Dungeon, to the bright Rayes of the Sun: or after long Famine, to be admitted to a full Table of delicate Viands may hazard a surfeit; so danger might well be apprehended, to come immediately out of the depths of persecution, and misery, to a glorious Liberty, and the height of all earthly Attainments. But whatever miscarriages then ensued, cannot with any colour of reason, be pleaded against the present state of our British Churches.

Tis farther acknowledged, that we find no lesse harsh expressions in our first Reformers, the History of the *Albigenses*, the Remains of our own *Wicklif*, *Husse*, &c. against the Wealth

Wealth and Grandeur of the Clergy. But if a man with a discerning eye will peruse the Annals of those times, and consider the Ignorance, pomp, and sloth of those that engrossed all spiritual Promotions, *Court-Parasites, Popes-Bastards*, (or in the more refined Italian Dialect) *Nephews*, Forainers unacquainted with the Language, and so they might have the Fleece regardlesse what became of the Sheep; when such as these devoured all the fat of the Land, had the fairest Benefices assigned for *Pensions in Com-mendam*; who can blame *an Holy zeal*, if it provokt them to a just *passim*. Indignation, who will not pardon their Passion, if it transported them beyond the just bounds? Thus tis usual to run from *one extreame to another*, as we see some of the Fathers, by their *over-vehement disputes against Pelagius, Eutyches, &c.* make way for the contrary errors: there being no other means to get a crooked stick straight, but by bowing it as much the other way; though I hope no wise man will plead to have it alwaies kept so. Let not therefore any suffer themselves to be deluded, and imposed upon by such Quotations, or the practise of some good men in those impoverisht persecuted ages, which onely can justify and excuse their actings; who so they might but *run counter to Rome*, and *undermine the high-fed Abbots, and gorbellied Monks*, cared not how slavishly they stooped to live beggerly upon the Alms of their Hearers, especially when they found this a pleasing Doctrine, plausible with the covetuous multitude, who for the most part are willing to go the cheapest way to Heaven, and therefore cryed it up, as the *true Apostolical manner*. This self-denial of theirs, and *Compliance with the present exigences* has begot such dangerous opinions in the minds of some, and by the subtle contrivance of Satan, willing to improve any advantage, brought such a snare upon their Successours, that many poor innocent persons often urge *their example* for a pattern, and would *fain reduce all to that model*, never considering what a vast difference our Gracious God, who disposes of Times and Seasons has put between theirs, and ours, both in respect of Preachers, and Hearers. But if the people of this Nation (by Providence) should be reduced to such extremities, I hope their Ministers could be content cheerfully, and without repining to suffer with them: *in the mean while, reason, and gratitude require they should partake in the common happiness,*

pinesse. Now I say, if such considerations did not prevail with me I should be ready to tax the imprudence of those eminent Worthies in betraying the *Priviledges and Revenues of the Gospel*, which Christ himself, by an irrepeatable Charter, has settled upon his Ministers.

Luther Ep.
p. 13.

I dare not deny but some holy men have slighted Honours, and that Portion due to their Calling out of sincere Principles, and a good meaning, who yet have lived to repent their error, (though not able to redresse it) when they have seen how much the Church has thereby suffered, and religion been damaged. Witnesse *Luther* * who sadly complains, *Ego pro meo stipendio Annuo tantum novem antiquas Sexagenas habeo, præter has ne obolus quidem aut mihi, aut Fratribus e Civitate accedit.* A brave Reward for such matchlesse deserts! and if so happy an Instrument of *Europes* Reformation, so valiant a Champion, who singly opposed the United Power of *Rome* and *Hell*, found no better usage, what might other Punies expect, if they were left to the frozen charity of this griping Age. Certainly they had all need make it part of their dayly Letany, to be delivered from such unmerciful Taskmasters. Nor was this his fate only, but *Calvin, Beza, Musculus, Saravia, &c.* oftentimes bitterly bemoane the pitifull allowances of the Reformed Clergy in most foreign Countries. Though too many may thank themselves; for if it be lawful to speak my thoughts, I fear superstition in some few, *weaknesse, and affecting the name of despising the World in most*, have been the principal inducements to relinquish that which their *Bountifull Master* bestowed upon them, and Gospel Liberty allowed them to challenge. Are we not commanded to honour the Lord with our substance, which must be performed in well Stewarding it, not in a careless contempt of our unquestionable Inheritance. Let no man therefore hope to build any strong arguments upon this *Sandy Foundation*, or to justify their Sacriledge by such Writings, and Practice.

CHAP. VI.

Sacrilege condemned in a serious Exposition, with the Authors of it.

NOW before I dismiss this, I cannot but a little expostulate matters with our late Church-Robbers; who, tis feared, did never impartially weigh that of *Rom. 2. 22.* when so they might fly from Popish Idolatry, valued not what *Sacred spoiles* they committed. And I wish any that deny a *Relative Holiness* in Things, and Places would explain to us what the Apostle meant by that word *ιεροσλν*, *Sacrilege*, that so we may correct all the Glossaries yet published, which I cannot find in the least to smile upon, and countenance their Proceedings. Methinks these men should never read the 47 of *Gen.* without drawing a blush in their cheeks, to see a prophane *Pharaoh*, sparing the *Lands of the Priests*, and taking special care to provide for their maintenance, allowing them a Portion from the Publick (the Quantity of Bread, Wine, and Flesh see at large in *Herodot. Enterp.*) when all the rest of *Egypt* was mortgaged, and his other Subjects must either pinch with Famine, or pay dear for Grain. And from this passage *Aquinas* * collects *Sacerdotal Immunity* to be agreeable to natural Equity. The Roman Orator * has a remarkable story concerning *Dionysius*, that taking all the *Consecrated wealth* out of the Temples of the Gods, he exposed it to sale in the open Markets, and meeting with good ready money Chapmen raised an incredible sum; but the Tyrant having better considered of it, soon after by Proclamation, ordered all to be restored upon severe Penalties, *fearing more the guilt of Sacrilege, than the reproach of Injustice.* And well might this be dreaded, if he had known all. *Plato de Leg. Dial. 9.* thought none would be so wretched as to attempt such a thing, especially a Citizen: but if any did, he pronounces him *αυσλσν Incurable*, and awards present Death. The Roman

* *Com in 13. c.*
 * *Ep. ad Rom.*
 * *L. 3. de Nat. Deo.*

1.2. Tables ranked such amongst the most Capital offenders, *Sacrum, Sacrove commendatum qui clepserit, rasperitve, Parricida esto.* And under the Law there were Attonements appointed for the greatest sins, Perjury, Uncleanesse, Murther, and Sacriledge through ignorance, *Lev. 5. 15.* but *presumptuous knowing sacriledge seems unpardonable*, there being no expiation ordered for it. You know whose Language ris, *Will a man rob his God?* *Mal. 3. 4.* Certainly, the so much condemned *Jews* will rise in Judgement against *this generation*, who (though they filched now and then in Tithes and Offerings) yet in their greatest pressures never toucht the Revenues of the Priests, nor do any of the Prophets (no meal-mouth'd flatterers) charge them with this sin: but the Levites portion, the 48. Cities assigned them by *Josuah*, (increased in after ages, as it should seem by the List, 1. *Chron. 6.* to above 60.) though of greater emolument, and far more considerable (put all together) then what our English Clergy ever enjoyed, continued entire, and without diminution, or disturbance to that Tribe, till the final subversion of the Jewish State.

Should we grant these Lands had at first been given out of Superstition, tis not a blemish in the Donours intencion that will make void the Act. If so there would have been colour enough to plunder the Treasury of the Temple, because the proud Pharises (and many such like) cast in their Offerings, *Mar. 12.* In the 16 of *Numb.* we have the Censers of *Corah*, and his accomplices (*men of the Lords anger and indignation*) offered in a rebellious sinfull manner, yet commanded to be employed in some holy uses, and not prophaned, because they were once hallowed in being dedicated to the God of Israel. And this Saint *Austin* recommends as a pattern to Christian Magistrates to be imitated in paralel cases. *Epist. 54.* Should we grant the present Incumbents had never so much misbehaved themselves, profusely lavishing the Churches Patrimony, perverting it to prophane uses, proud backs, and pampered bellies. Yet how had Christ offended? what had he done, that you should deprive him of his portion and Inheritance, those small fragments which former Covetuousnes had spared? For know Ye sons of Sacriledge,

Cooks Com.
in Magn. Char.

that what you took from the Church, you took from him, it being the Tenour of all the old grants *Magna Charta*, and others, *Concessimus*

cessimus Deo-- - For *Quod datum est Ecclesie, datum est Deo.*

It has made me tremble many a time, when I have read in the old Charters the *dreadfull execrations denounced* against those that should lay hands on these *Devoted Things*, recorded in *Spelm. Connc.* and *Monast. Angl. Passim.* &c. Sure I am *Nehemiah* one of the best, and greatest Reformers in the world could not bear the alienation of one poor Chamber belonging to the Priests *c. 13. 7, 8.* so farre was he from preying upon any thing himself. And yet no Reformation could content ours but an utter depriving the Embassadors of Christ of their fairest encouragements. If our eyes had not beheld, and our eares heard it, could it be imagined, there should be any in these Gospel-dayes to repine at the wealth conferred upon the Clergy, and to use Language much like that of *Felix* Treasurer to *Julian*, see in what plenty these servants of the Son of *Magdeburgi* *Mary* live. Well I had almost said that the sin of Sacriledge in Cent. 4. taking away the Churches Patrimony cries lowder in the eares of Heaven, then ever did their pride, and luxury in abusing it. Yet am I none of those that will once open my mouth in defence of looseness, debauchery, and such Immoralities, which my Soul abhorres equall to Heresie. But if wealth be so apt to corrupt them, let all the Lawes already enacted be impartially executed, and if that be not judged sufficient, let as severe ones be added as the *Wisdom* of our Senators shall think fit to meet with growing disorders, and abuses, I beleive theres none will decline, whatever lawfull Authority shall impose. Only tis hoped that peice of *Pelagianisme* is not now revived, that tis impossible to be great and *Vellii Hist.* *Pelag. l. 5.* *Part 2.* good, Rich & Humble. Tis true the poor bladders of mans tainted nature are too prone to swell with a little wind, but God can keep the heart low, under the highest honours, sober in the greatest affluence. Have we not *Joseph* the second person in *Egypt*, *David* a King, *Daniel* and *Nehemiah* Courtiers, and yet their hearts right with God, their Integrity still retained. Nor is it poverty of estate, but of spirit to which Christ promises the blessing, *Mat. 5.* There may then be good use made of this unrighteous *Mammon*, for as wine is not evil, but drunkenness, no more are riches evil, but Covertuousnes. Let not any therefore be cheated by such pitifull Sophismes, countenanced only by some few wrested Texts of Scripture, and misunderstood passages of Antiquity.

I et

Let me but ask any considerate person, what we have gained by all our 20. years wandrings? One of the beautifullest Islands, and flourishing Churches in Europe, hath been almost ruined by our Giddinesse. Let zealous ignorance now confesse its mistake, and by a dutiful Conformity hereafter redeem its errors. Have you comfort to look back upon the Desolations you have made, so many magnificent Churches Levelled to the ground, so many converted into Magazines of War, Dens of Thieves, and Stables for Horses, which the poor innocent Beasts have already smarted for. I dare not go about to fathom the Depths of Divine Judgements, those waies are unsearchable, and those paths past finding out: but if we will believe some curious Observers, they tell us, that the *Prodigious Disease*, which has of late so much raged amongst Horses, had its Original in the House of God, beginning at the Guards in St. Pauls. And our eyes have beheld in these late Revolutions in how eminent a manner the Righteous God has frowned upon the great *Sticklers in Church Lands*, declaring in the face of all the World, how much his soul abhors the covetuous.

Now since God has smiled upon us, to restore our Rulers as at the first, tis hoped our wise Senators will be careful to wipe away that stain, and blot, which lies upon our Reformation for alienating Monastick Revenues, and not adde sin to sin, and iniquity to iniquity. Most Honoured Patriots, you are the great Representatives of the Nation, whose Repure ought to be dear unto you. Be pleased then to consider, *Will it not be a reproach to a rich, and flourishing Kingdom, to have a starved indigent Clergy, in a Land of Plenty exposed to Beggery?* An injury and dishonour to the memory of your Religious Ancestours, and Predecessors, who not out of ignorant zeal, and blind superstition, but conscience, but honour to the God of their substance, Consecrated some portion of their Estates to his service, and confirmed the Donations of others, not only by *naked Votes, but repeated oaths*? Now to have all these Monuments of their Devotion at once swallowed up by their sacrilegious Posterity. Or will any be so mad for the future, as to become Benefactors, when there is so little Security in the Publick faith of a Nation. Certainly this was one of the deadliest blows that for many years has been given to Religion; what an hindrance has it proved to the happy progresse, and success of the Gospel

Gospel, what an advantage to the Kingdom of Satan, making us stink in the Nostrils of all the neighbouring Countries, alienating the hearts of sundry well-affected, weakning the hands of Friends, and strengthening Enemies? And if the Romish Emisaries could but have perfected their * Design, and compassed what they so much tug'd for in our late Troubles, to ruine the Universities, deprive the Clergy of a settled Maintenance, and bring them to a *sordid Benevolence*, they had done their work. *How many hopeful persons intended for Labourers in Christs Vineyard*, have been hereby discouraged, their worldly Parents diverting them to more gainfull employments, many Congregations left destitute of able Preachers, *Blue Aprons*, and *Buff Coats* stepping up in their rooms, where by such an Inundation of Errours have brake in upon us, that it requires skillfull Pilots to keep the Ark of our poor Church from Sinking.





THE CLERGIES HONOURS.

CHAP. I.

The Honour of the Sacred Function vindicated by Scripture, Reason, Equity and Fathers.



He second Head to be treated of, is the Respect and Honour due to this Sacred Function, which the Spirit of God is not sparing, or backward in asserting, knowing the malice of Satan, and the depraved Nature of man prone enough to vilifie it. And therefore that none might plead ignorance, we have repeated Precepts scattered up and down in sundry places. In the 2. *Philip*. 29. the Preachers of the Gospel are commanded to be had in honour; and 1. *Thess*. 5. 12. to be esteemed, and Reverenced *ὡς ἡμετέροις* exceeding abundantly, the Original being scarce to be expressed by a Translation. Now the grand design of all this is, that Christ may be advanced, for the respect shown to the Servant, redounds to the Master, who will one day own it, inasmuch as ye did it unto one of these *Little Ones*,
ye

ye did it unto me. The Honour and Preferments you conferred upon them, I take as done to my self. I wonder what answer our Clergy-Haters will return to such clear Texts, certainly they must borrow that Glosse of the *Learned Canonist, Statuimus, i. e. Abrogamus*: for their practise puts no berter a Comment upon those words of *S. Paul*, Honour those that are over you, *i. e.* despise them, revile them, and take away their maintenance. It has oftentimes saddened my soul, to see many who pretend to higher Dispensations, a more eminent degree of Sanctity then their Brethren, to place much of their Religion in scorning and reviling the Embassadors of Christ, as if they did him service when they cast dirt in the face of his Ministers. But he will at last give them slender thanks for their preposterous zeal.

We have the Great Apostle of the Gentiles for an example, that boasting does not alwaies misbecome us: and doubtlesse, if ever it were seasonable, now is the time, when this *Art of Arts the Government of Souls*, is so much trampled upon. Now if the Dignity of a Calling may be judged by the usefulness of it, which is *Pindars* Argument for his *deïson uen Idag*; Where is any that dares stand in competition with this? Other Professions are variable like the Moon, sometimes dark, and sometimes shining, at certain fits and seasons serviceable: this never out of date, never to be dispensed with. A Souldier is loved, or rather feared in War, but disregarded in *Peace*; a Physitian's seldom courted but in sickness, and by crazy distempered bodies; and for Lawyers, they are principally lookt after, when men are disposed to wrangle; but theres no Age, no Season, no State of Life that does not require, at least need, the assistance of a Divine.

Again, if that Profession which can produce the most Worthy Persons engaged in it (as *Scal* argues) should carry the Bell, the day is surely their own. In our Corporations here, if a King be but made free of such a Company, the Society presently vaunt they have gained much credit by it: but how many Emperours, Princes, and Nobles, may be instanced in, that have not only lifted themselves, but actually exercised the Office of the Ministry. *Capgrave* reckons up at least a Score of our British Kings and Queens, that left their Scepters, and betook themselves to Religion in those fertile Ages of Royal Saints. Peruse the holy Re-

Scholias. Pin-
dar.

Speim. Ep.
Dedant. Con.
Camd. Brit.
p. 58.

cords, we have *Melchisedeck* a King, and a Priest, *Heb. 7. 1* *David* a King and a Prophet: and *Solomon*, the Wisest of Mortals, glorying more in the name of a Preacher, than all his Royal Titles. But why stand I upon these, when Jesus Christ the King of Kings, the Eternal Son of God, thought it not below him, telling us expressly, *Luke 4. 18.* that he was sent into the World, on no other errand, then to *preach the Gospel*. Here upon earth, a great Personage, that had but one only Child, would be loath to imploy him in any base unworthy calling: and may we not here safely conclude this to be an Honourable Profession, which the most Wise God put the Son of his Bosom to. Let me speak a proud word then (at least some will judge it so) *the Ministry is an Employment, that the Noblest Peer, nay the greatest Prince upon earth, need not be ashamed of. Nor let anyone blush to be of that Profession, which Adam, Moses, David, Solomon, nay Christ himself hath honoured.*

I shall not take notice of those *Rhodomontado Vaunts* of the bragging *Canonists*, who compare the Clergy to the Sun, and the Laity to the Moon; Though backed by an eminent *Civilian, who pronounces the Sacerdotal dignity greater then any Secular. Nor doe many of the ancient Fathers come farre behind them, who have very swelling expressions to this purpose. Hear but *Ignatius* St. *John's* Disciple, *ἱεροσύνη ἐστὶ τὸ πᾶν ἡ ἐν ἀνθρώποις ἀγαθὴν ἀντιβιβάζουσα*; the Priesthood transcends every thing amongst mortals. And *Chrysostome* styles the Clergy Christs Deputies or Vice-gerents, presently adding, * *ὅσα γὰρ ἡμῶν πρεσβυτέρων, καὶ ἀποστόλων ἰσχυρεῖται* &c. As much as the Heaven is more honourable then the Earth, and Soules then bodies, so much is the Spiritual Function more excellent then the Civil. But these straines are somewhat Hyperbolical, and must be understood in a qualified sense, with some graines of allowance.

Come to those that speak modestly and soberly. For the Jewes *Josephus* is my Authour, that Interest in the sacred Function, was an unerring argument, of a splendid Original, * *ὥσπερ παρ' ἐξέ-
οις ἄλλης ἵς ἐστιν εὐγενείας ἀπόδειξις, ὅτι παρ' ἡμῶν ἡ ἵς ἱεροσύνης με-
τιστα ἱερμῶν ἐστὶ γένος λαμπρῶντος*. *Casaubon* stops not there, but will have it to be the * *only Nobility* (when the Line of *David* was eclipsed) all others though never so powerfull, never so wealthy being

Bartol. Confil.
18. si Aliqua
Coll. 2.

Ep. ad Smyrn.

Hom. 17. on
St. Mar.

Jos. Vit. juxta
init.

Exercit. in
Bar. 1. N. 5.

being lookt upon as no better then *Plebeians*. Descend to Gospel times, *Clericatus est Dignitas*, saith *Panormitan*, any Relation to the Church entitles a man to honour. And he that reads the *Digests*, *Basilica*, or our own *Lambard*, will find the meanest Clergy man of no small account amongst the Ancients; the principal part, viz. the *Bishops*, being all the *Saxon* period ranked among the *Greater Thanes*, and in the *Normandaies* equal to the *Barons*, as will in its proper place be farther cleared. For Person, and common equity do seeme to suggest that their condition is honourable, who are immediately set apart to the *service of the great God*. We see how those are valued that attend upon the Persons of Princes, and what large Priviledges are granted by the * Imperial Edicts to earthly warriors, and shall those that fight under the Banner of the King of Heaven, for such a Title is given them, 2 *Tim.* 2. *παιδῶν τοῦ ἰσχύος*, the *spirituall militia*, be trampled upon, and esteemed as the *Drosse*, and *Refuse* of the Nation? 'Tis strang to see how disdainfully many in our Age think of them, and how unwilling they are to place their sonnes to this Function, as if it were a *stain to their blood*. When yet we read of *Esay* of the Royal Line of Judah, and in our own Nation we find *Ethelwolfe* (as *Rog. Hoveden*) *Ethulf*, as *Monast. Ang.* calls him) a profest Clergy-man, consecrated Bishop of *Winchester*, yet eldest sonne to *K. Egbert*, (no petty Prince) and after his Fathers death, second Monarch of the united Heptarchy *A. 837*. Come lower we have *Henry de Blois* brother to *K Stephen* Bishop of the same See: *Geoffry Plantagenet* Son to *Hen.* 2d. Bishop of *Lincoln*. And that I may not waste time in such instances, which might without number be produced; *Cuthbert* Bishop of *Durham* of the blood-Royall of the Kings of *Ireland*. Nor did *Michael* the proud Emperour of *Russia* take it to be any disparagement in this last age, to make his Father *Theodore* Arch-Bishop of *Mosco*. Nay the Princely stock of *Judah* did not look upon it as any imputation, any slur, or *Alloy* to them, to mingle the Royall and Sacerdotal blood, for 2 *Chron.* 22. 11. 'Tis recorded, that *Jehoiada* the Priest Married the Daughter of King *Jehoram*, and 2 *Kings* 23. 31, A Kings Mother is said to be the Daughter of a Priest.

Dig. & Cod. Passim.

Godwin:

Fossevin.

CHAP.

C H A P. II.

A large Tribute of Honour and Reverence paid by the very
Pagans and Mahometans to their Priests.

De Morib.
German.

Search the Pagan Records, you'll find they thought no Honour too high, no reward too great for those that attended the Worship of their Idols. I am almost afraid to write what I meet with in approved Authours, and should be ready to distrust them myself, but that I am satisfied they were no Parties, nor prompted by Interest. He begin with *Tacitus*, who tells us that amongst the old Germans * *Sacerdotibus, iuxta ac Regibus honor habitus est*. Now the Grandeur of the world consists principally in Apparel, Dyer, and Houses, in all which the Priests exceeded. We read in *Strabo* l. 12. that the Priests of *Cuma-Pontus* twice in a year wore a Diadem. *Orosius* l. 4. c. 6. relates that the Priests of *Hercules Tyrius* were ever clad in purple, and walk'd in publick adorned with Crowns. Goe to the barbarous *Indians*, there *Varenus* assures us that in *Japan* the priests are clad in Silk down to the Ancles, and the *Bonzius*, or Chief Priest *regalibus afficitur honoribus*. *Froius* in his *Epistles* adds that they all dwell magnificently, and have very large incomes. But of this *Vitruvius* is the most proper Judge, who l. 2. c. 8. acquaints us, that the high priest among the *Trallians* in habited a *Stately Royal Palace*. Then for their food * *Dapes Sallares, Obsorari Pollucibibiter, Epulum Collegium*, with their Pontifical Feasts grew into a proverb for their Prodigality. Indeed to universally great, and Reverend was the Reputation of the Priesthood, that none on earth might vy with it, being the highest any Mortal was capable of, the next and immediate Honour to a Deity. Under the Law of Nature we do not meet with many Instances of believing Kings, only *Melchisedeck* King of *Salem*, in whose person, both Kingdom, and Priesthood were united, *Gen.* 4. Unless we should adde *Jethro*, who is promiscuously styled Prince and Priest of *Midian*, *Exod.* 2. Now this combining together of the two Functions, was afterwards commonly

Rofinus
Rhodigin.
Cicer. Orat.
de Arusp. Resp.

monly imitated by the Heathens: amongst whom there was ever little difference between Prince, and Priest; whence some conjecture, that under this last Notion the former received Tithes, for that they were usually paid him, may be gathered from 1. *Sam.* 8. 15. *Servius* upon the 3. *Enn.* is positive for a generall use, *Majorum hac erat Consuetudo ut Rex esset etiam Sacerdos, vel Pontifex.* Whereupon *Diogenes* in *Stobæus* laies it down amongst the Qualifications of his *Complete King*, that he must be *στρατηγὸν ἀγαθόν, καὶ Δικαστὴν, καὶ ἱερέα*, a good Souldier, a Judge, and a Priest. *Strabo* is expresse *L. 5.* that in *Arctia* the Kingdome was united to the Priesthood of *Diana*, in * *Cappadocia*, to the Temple of *Bellona*. And *Justin*, amongst many Fables of the *Jews*, has this truth, *L. 36.* that *mos erat apud Judæos ut eisdem & regis, & sacerdotes habeant*, twas a received custome with them for the same person to bear both Offices. *Dion. Lib. 37.* enlarges it to all *Syria*, that twas their manner to confound the Titles of King and Priest. The old *Ethiopians*, and * *Egyptians* chose their Kings out of, at least * permitted the Election of them to the Colledge of their Priests; who ever enjoyed the next place of Dignity and power to their Sovereign, * *Εἰσι δὲ ἑτοίμοι (ἱερεῖς) πάντων τ' ἀτελεῖς, καὶ δευτερέωντες μετὰ τὸν βασιλέα τοῖς τε δόξαις καὶ ταῖς ἐξουσίαις.* If these generals will not satisfie, let us come to particulars, and twill easily be made appear, that the greatest Potentates in the World did not think the Priesthood below them. Thus *Midas*, King of *Phrygia*, was consecrated to *Orpheus*, *Justin L. 11.* The *Lacedemonian* Kings did alwaies sacrifice in person, *Herodot.* in *Erat.* *Zenophon* records the like of *Cambyses*, *Curtius* of *Alexander*, and *Halycarnass*: * speaking of *Romulus*, saith, *πάντα δ' ἐν αὐτῷ πᾶσι θεοῖς τὰ πρὸς τοὺς θεοὺς ὅσα*, all that concerned the gods were managed by himself. In imitation of whom *Julius*, *Augustus*, and all the succeeding Emperours, both Pagan and Christian, till *Gratian* * daies, retained the Title of *Pont. Max.* as may be seen in their severall Edicts, and Coyns. *Heliogabalus* was not content with a single one, but to make his person more Sacred, must be created Priest of the *Phenicians*. Nor must the poor *Indians* be omitted, for in *Malabar* their very Kings do not disdain the Office of the *Bracmans Lopez*, *Hist. Ind. L. 1. c.*

* *Hirt. Bell. Alexandr.*

* *Marfil Ficin Præsin Trismegist.*
* *Plato I. de Regn.*
* *Diodor. Sicul. L. 2.*

* *L. 2.*

* *Zozimus.*

Hierodan. l. 5.

14. And if you consult the Epistles of *Xavier* (the late Canonized Indian Apostle) you find the *Bouzii* to be generally the sons of Princes and Nobles; *Almeida* mentioning one that in his time was Counsellour to the King.

Gabriel Sionita Come to the *Mahometans* we have the proud * *Sultan* himself so far honouring the *Mufti*, that as often as he comes into his presence, he rises from his seat, and according to *their mode*, putting his hand to the breast, bows the head in token of Reverence, an honour which he shews not to any other Subject, and will hardly vouchsafe the like to the mightiest Monarch upon earth. Neither do the inferiour Degrees want their due esteem: for after their *Mufti*, they have their *Cadelischers*, somewhat resembling the Christian Patriarchs, next their *Cades* answerable to our Bishops, then their *Santons* & *Talismans* suitable to our Presbyters and Deacons, the least of whose number is highly respected by the people. *Id.* Then for the old *Saracens* tis a matter sufficiently known that with them for some 100 of years the same Person was both Prince and Caliph.

*Elma. in. Hist.
Arab.*

I might multiply innumerable instances to this purpose, but I shall not weary my Reader. Now let not any envious *Momus* imagine, that all this while I drive on a design to have this revived, and made a pattern for Christians, no, my only meaning is to put our Clergy-haters to the blush, if they have so much of virtue left as the Colour, when they see how by the common consent of Nations, which *Tully* calls the Law of Nature, the highest Honour was ever given to the Priest. The Prince of Philosophers laying it down for an Axiom, that twas a work most proper for the worthiest: *ἔτε γαρρὸν, ἔτε βάρανσον ἱερέα κατασπείρον ὑπὸ δὲ τῶν Πολιτῶν ἀέπει τιμᾶσαι τὸς θεῖς*. No Peasant, no Artisan must defile these Sacred things, *quia par est Optimum ab Optimo coli, & Summum à Summo*, there must be some resemblance and Analogy between the Master and the Servant. And therefore, if we will believe *Trigantius*, amongst the wise *Chinois*, *olim Rex, hodie soli litant Magistratus primarii, Regnique Proceres*: No Inferiour person must come neer the Altar.

*Aristo. le. 7.
Polit. c. 9.*

CHAP. III.

Englands Respect to the Clergy.

FOR their Nobility in our own Nation, *Spelman* and *Lambard*, *Spelman's Conc. Ep. ad Reg.* confessedly the Ablest Pair of our *Saxon* Antiquaries do avouch, that the *Saxons* ever reputed the Bishops equal, and in some points Superiour to their Greater Thanes, whom Posterity call Barons, and (as may be seen in * *Lambard*) the Laws of *Ethelbert*, *Ina*, and *Aethelstan* do rate them accordingly. Nay in all the ancient * *Archajons* Charters, the first place was ever given to the Spiritual Lords. In a Donation of *Ethelbert* A. 605. to the Monastery of *S. Peter* in *Canterbury*, the first witness subscribing is *Austin* the Bishop, and after him several Dukes, and Earls. In a Charter of King *Ina's* A. 725. to the Monastery of *Glassenbury*: after the Bishops *Beorthwald*, and *Fordred*, we have *Waldere*, *Ethelberd*, *Ilmmaing* and *Winchelin*, the greatest Peers in the Nation, putting their names. Presently after, in a Grant of *Offa's* to the Abby of *Worcester*, A. 780, *Brordran*, *Berhtand*, *Eadbald* and *Eadbald*, two Princes, and two Dukes follow the Bishops, And at the same Kings Consecration of *St. Albans* A. 793. no lesse than ten *Monast. Angl. & Spelm. Cons. possim.* Dukes, besides other Nobles, give place to the Prelates. Come down an Age Lower in the Donation of *Edgar* to the Convent of *Glassenbury*, the Bishops lead, and *Elphere*, *Oslac*, *Ethelwine*, three Dukes bring up the Rear. And to make an end in a Charter of *Edward* the Confessors, to the Monastery of *Winchester*, immediately after the King subscribed *Plegmunda*, and *Frithestan* the Bishops, being followed by *Ethelweard* the Kings Brother, *Aethelstan*, and *Elfweard*, the Kings two Sons, *Ordulf*, *Osred*, *Brorhulf*, *Ordgar*, and *Heethferth* Dukes: many more of this Nature might be produced out of the same Authors, and others, as standing monuments of the Clergies eminent Reputation, & the Reverence our Religious Ancestours bare to their Function. And that this may not be thought to proceed meerly from the courtesie of England, as in some other Cases tis familiar: We have it confirmed by Sta-

tute 31. *Hen. 8. c. 10.* where in all Degrees, and Offices are placed in Assemblies and Conferences, and there the Arch-Bishop of *Canterbury*, as *Primus Par Regni*, the first Peer of the Kingdom, is ranked before all the Nobility, seated at the Kings right hand, next and immediatly after the Royal Blood, and the Vice-Gerent, and the rest of the Bishops follow him in their due Precedency according to the Dignity and Anciancies of their Respective Sees. And tis farther observable, that they are ever named before the Temporal Lords in *Magna Charta*, *Charta de Forest.* &c. Nor were they ever excluded from the greatest employments of Honour and Trust in the Nation. And to evidence that this is not spake without book, I shall subjoyn a Catalogue of Church-men (collected out of *Malmesbury*, *Hartsfild*, *Godwin*, *Spelman*, *Isaacson*, &c.) that have borne all, at least the most Honourable Offices of State, and (however bespattered by some) discharged them with much integrity and repute; *England* owing more of its happinesse to men of this Calling, then any other. Though it cannot be denied, but some miscarriages may here and there be found, yet as few as can be expected in such a multitude: and if a man were disposed to carp, he might without much sweat, produce two for one in critically examining any other Profession. I shall begin with the Metropolitan, to whom this Primacy justly appertains, and take the rest in order.

CANTERBURY.

WE find fewer of this See upon the Civil Stage then any other; most Offices being lookt upon as below the Arch-Episcopal Dignity, and therefore a Nobleman upbraided *Hubert* with it, when A. 1199. (according to *Spelman*, *Godwin* 93.) he was made Chancellor of England, Chief Justice, and High Governor of all the Dominions under King *Rich. 1.* Afterwards King *John* entrusted the same Prelate with the Government of the whole Realm at his departure into Normandy. *Walter Reynalds*, Chancel. A. 1370. *John Stratford* Chancel. under *Edm. 3.* and when the King invaded France, no person thought so fit in his absence to have the Government of the Nation entrusted to him, *Simon Islip* of the Privy Council to *Edm. 3.* *John Stafford*

to Hen. 5. John Moorton to Hen. 6. and Edw. 4. But why stand I upon this, when in truth it has been seldom known, that any of them have been omitted. Nor was this proper only to the times of Popery: Come to the Reformation, we find *Cranmer* of the Privy Council to Hen. 8. and Edw. 6. and very active in civil matters: yet a man so averse to Rome, so instrumental in planting the Gospel, so laborious, so holy, that a great * Apocalyptical man (and no friend to the Hierarchy) takes him to be that Angel pointed at by the Spirit of God. Revel. 14. that had power over the fire. Under the renowned Queen Elizabeth, John Whitgift of the Council, and the Government of the Principality of Wales given up to him.

Fox Martyr

* Brightman
Com.

T O R K.

Walter Gray Chancellour under King John, had the Government of the Realm entrusted to him under Hen. 3. William de Melton successively Treasurer and Chancellour of England, A. 1317. William de Zouche, Vice-Gerent to King Edw. 3. 1346. John Kempe A. 1425. twice Chancellour, and Tho. Young Lord President of the North, A. 1561.

L O N D O N.

The Epitaph on the Monument of William Bish. of London (sometime since to be seen in St. Pauls) spake him one of the Privy Council to the Conquerour. Mauritiu Chancellour under the same King. Eustachius de Fauconbridge one of Rich. 1. Justices, Chancellour of the Exchequer. Treasurer of England, and twice Embass. into France. Hen. de Wingham Chancel. under Edw. 3. Ralph Baldoc under Edw. 1. Rich. Bintworth under Edw. 3. Robert Braibrook under Rich. 2. Rich. Cox, Dean of Westminster (whom I crave leave to name here as belonging to the Diocesse) of the Privy Council to Edw. 6. And Bancroft sent Embassadour to Embden to treat with the King of Denmarks Commissioners, A. 1600.

D U R H A M.

Geoffry Rufus Chancel. of England, A. 1140. Rich. de Marisco A. 1217. Antony Beak of the Privy Council A. 1294. Rich. de Bury Chancel. A. 1334. and Treasurer A. 1336. Thom. Langley Chincell. A. 1406. Thomas Ruthal of the Council to Hen. 8. and as his Monument at Westminster testifies, Secretary to Hen. 7. Rich. Neyle of the Privy Council A. 1627. And here I must not

An Apology for the

omit that known passage of *Neubrigenfis*, who brings in K. Rich. making himself merry with the Bish. boasting what a feat he had done, *è vetusto Episcopo novitium Comitum mirus ego artifex feci*, to make a new Count of an old Bishop, a Priviledge, till the late Interruption, continued to that See.

WINCHESTER.

Smithun Chancellour of Engl. under K. *Egbert*, A. 860. *Will. Giffard* Chancel. under the Conquerour, *Rufus*, and *Hen. 1.* *Peter de la Roche*, Lord chief Justice under K. *John*. *John Sendal* Chancel. A. 1316. *Will. Edendon* Treasurer under *Edw. 3d.* *Will. of Wickham* (Founder of New Coll. in Oxon) Principal Secretary, keeper of the Privy Seal, Mr. of the Wards, and Treasurer of the Kings Revenues in France, A. 1360. *Will. Wainflet* (Founder of Magdalene Coll. Oxon) for his great wisdom, and Integrity long Chancel. of Engl. under *Hen. 6.* *Rich. Fox* (Founder of C. C. C. Oxon) one of the Privy Council to *Hen. 7th.* (as Prudent a Prince, as this Nation has known) and continually employed either in matters of Counsel at home, or Embassies abroad.

E L Y.

Will. Lang-champ. Chancellour A. 1189, then chief Justice and Protector of the Realm, when *Rich. 1.* undertook his voyage to the Holy-Land. *Eustachius* Chancellour A. 1196. *John Hotham* Chancellour A. 1326, (as *Spelm.*) 1317. as *Godwin* *Simon Langham* A. 1361. first Treasurer, then Chancel. of Eng. *John Barnet* Treasurer A. 1366. *John Fordham* Treasurer A. 1385. *Will. Gray* Treasurer A. 1469. *John. Alcock* Chancel. A. 1486. and *Tho. Goodrie* Chancel. under *Edw. 6.*

L I N C O L N E.

Robert Bluet Chancel. under the Conquerour A. 1092. *Alexander* under *Hen. 1.* chief Justice of Engl. *Galfridus* Chancel. A. 1180. *Hugh de Wells* Chancel. A. 1209. *Walt. de Constantiis* Chancel. under *Hen. 6.* And Dr. *Williams* Dean of Westminster, and after Bishop of this See, made Lord Keeper by the Learned King *James.*

COVENTRY & LICHFIELD.

Roger de Wifsham Keeper of the Great Seat, A. 1245. *Walter de Langton* Treasurer, A. 1226. *Roger Northbrough* Clerk of the Wardrobe, afterwards Treasurer, A. 1322. *Geoffry Blyth*, Lord Presid.

Presid. of Wales, A. 1512. *Rowland Lee* his Successour the same A. 1535 and *Rich Sampson*, A. 1537.

SALISBURY.

Osmond Chancel. of Engl. alwaies of the Privy Council, and seldome spared from Court, under the Conquerour. *Roger* Chancel. A. 1107. and under King *Stephen* A. 1136. *John Waltham* Master of the Rolls, Keeper of the Privy Seal, and after Treasurer of Engl. under *Richard* the Second. *Nicholas Bubwith* Treasurer A. 1407. *William Ayscote* Clerk of the Council A. 1438.

BATH and WELLS.

Robert Burnel first Treasurer, then Chancellour of Engl. and alwaies of the Council under *Edward* the First. *John Droghensford* Keeper of the Wardrobe, A. 1309. *Robert Sillington* first Keeper of the Privy Seal, then Chancel., A. 1465. *Oliver King* Principal Secretary, A. 1492. *John Clerk* Master of the Rolles, A. 1523.

EXETER.

Leofricus, First one of the Privy Council, then Chancel. of Engl. under the Conquerour, though *Spelman* reckons him of Bath at that time. *Will. Brewster* of the Privy Council, under *Hen.* 3d. *Walter Stapledon* (Founder of Exeter Coll. Oxon) first of the Privy Council then Treasurer under *Edw.* 2d. *John Grandesson* of the Privy Council to *Edw.* 3d. *John Voyseye* Lord President of Wales under *Henry* 8th. And *Gervase Babington* Vice-President of Wales A. 1597.

NORWICH.

Henry the Second by a special Commission makes the Bishops of Norwich, Winchester, and Ely, Lord Chief Justices, in my Authors words *Archi-Justitarios* (*Radulfus de Diceto*) And tis added Clergy-men were pitch'd upon as the likeliest persons, not to oppress the poor, nor respect the face of the Rich. *John Salmon* Chancel. A. 1319. *Robert Baldoc* Chancel. A. 1324. *John Wakering* Keeper of the Privy Seal, A. 1416.

HEREFORD.

Thom. Cantilupe Chancel. A. 1275. *Thom. Charlton*, Treasurer A. 1329. *John Gilbert* A. 1386. *Thom. Milling* of the Privy Council to *Edw.* 4th. *Charles Booth* Chancellour of the Marches of Wales A. 1517.

W O R

Clergies Honours.

W O R C E S T E R.

Galfridus Gifford Chancel. A. 1267. *Walter Reynald* first Treasurer, then Chancel. under *Edw.* 2d. *John Barnes* Treasurer A. 1362. *Hen. Wakefeld* Treasurer A. 1376. *Nicholas Heath* Lord Presid. of Wales and Chancel. of Engl. under *Q. Mary*.

C H I C H E S T E R.

Ralph Nevil Chancel. A. 1222. (*Spel.* 26) who adds that he was appointed by Parliament. *John de Langton* Chancel. under *Edw.* 1. and 2d. *John Stratford* A. 1360. *Adam Molins* Clerk of the Council, A. 1451. and that incomparably learned Prelate, and industrious Preacher *Lan. Andrews*, Privy Counsellour of Engl. and Scotl. under a Prince that knew the worth of Learning, and advanced it accordingly.

R O C H E S T E R.

Walter de Merton (Founder of the Colledge that beares his Name) 2: Chancel. A. 1274. *John de Shepey* Treasurer, A. 1358.

O X F O R D.

Hugh Curwyn Chancel. of *Ireland*.

S t. D A V I D S.

Adam Houghton, Chancel. A. 1376. *Limwood* the famous Canonist, Keeper of the Privy Seal, A. 1440. and employed in Embassies to the Kings of Spain, Portugal &c. I might here subjoyn, severall Deanes, and Arch-Deacons promoted to the same Dignities, and take notice, that till the Dissolution of Abbeys, the Prior of Christ-Church in London, was euer a Member of the Court of Aldermen: and that the Dean of Westminster is by his Character allowed no small Influence upon the Government of that City. But I shall not nauseate the Reader with any more hard Names, only observe, that in the Catalogue of Chancellours, recorded in *Spelmans Glossary*, amounting to about 170, near 100. of them were Clergy men, more then all the other Professions put together can make up

Stow.

These then are the Honours, which (if any humane Testimony can make a thing certain) an uninterrupted Customie, (equall to Law) which Wise Antiquity gave them through all the *Saxon*, *Danes*, and *Norman* times without controul, or dispute, till within these 20 years, since which *England* has groaned under this sin of despising the Embassadors of Christ, and it has been no small step

step to Preferment to rail upon them, murmur, and decry their advancement, and to rank the great Trustees of Souls with the vilest Peasants in the Nation. As if there were no better way to shew love to their Redeemer, then by hatred to his servants, and respect to the Majesty of God must be evidenced by pouring contempt upon such as Represent his Person. Thus Corah, and his Accomplishes grand grievance, and complaint against Moses and Aaron was, that they were too high, took too much upon them, Numb. 16. They were advanced, and honoured above the rest, this was the main eye sore; but the revenging hand of God would not bear it. Nay have we not had more of the same Language, *All the Congregation is holy, and one may preach* as well as another. Thus would these sons of confusion have brought all to a Munster Disorder, by taking away the Distinction of Callings. The Wise God appointed it otherwise under the Old Testament, when every one was not admitted to the Priesthood. I cannot but think there were 1000 in Israel that knew how to kill, slay, and dresse an Ox, Sheep, or Goat, as artificially as the sons of Levi, yet none attempted it (in reference to the Altar) without a rebuke. And was Moses a more prudent steward then Jesus Christ, the Wisdom of the Father? Would it be suffered in Humane Societies, any well regulated Corporation, that every man who conceived himself fitter to discharge an Office, manage a Trade, husband an Estate, should presently exclude another legally posselt, and invade his Propriety? Grant this, and farewell Government, welcome Babel.

Let me speak it once for all, tis folly to expect the prosperity of the Nation, whilst the Clergy are in misery; whilst the Sacred Function is with black ingratitude reviled, to whose learned Labours we owe the Translation of our Bibles, and who (under God) were the Principal instruments of freeing us from that Egyptian Darknesse our fore-fathers sate in. Is not this like the Deere Plutarch speaks of, who browsed on that Bush in a Calm, that he was glad to creep under in a Storm? Certainly they are not to be esteemed worthy the name of Christians, or Friends unto the Gospel, (whatever pretences they make) that despise, and vilifie the Ministry, then which nothing bespeaks a more vile, and reprobate Heart. Ignatius * deals roundly with such, * Αθεο-
μάται αἱ ψῆμαι, καὶ πονηροὶ, καὶ χερσὶν ἀθετοῦν—they are down-right

Epist. ad Tral.

Atheists

Atheists, and make nothing of Christ, saies that holy man ; and tis much to be suspected (if they would speak their thoughts) that too many (with *Leo* 10.) look upon Religion as no other then a Fable, and (with *Servetus*) make our Messiah the third Impostor. We know that under the Law, presumptuously to rise against the Priest, was punishable with no lesse than death, *Deut.* 17. For these are the Embassadors of the King of Heaven, and how *Sacred* such persons are by the Law of Nations, all Histories do abundantly witnesse, and that small Indignities offerd them, are highly resented the *Ammonites* are a lasting Testimony 2. *Sam.* 10. and proud *Corinth* for no other reason burnt to Ashes by the enraged Romans.

Florus.

CHAP. IV.

The Clergies moderate engaging in some Civil Affairs pleaded for, and justified.

BUt tis feared the former Discourse has given offence to some *prejudiced parties*, therefore to remove that stumbling block, and to make way for what follows, twill be requisite a little to enquire into that perplext, and long-debated Point, *Whether and how far Spiritual Persons (with a Salvo to their Function) may intermeddle with Temporal Matters.* And that this has bin no new thing, or peculiar to England (which was never esteemed the *Paradise of Priests*, as the report goes of *Leige*) is manifest to every one that is the least acquainted with Sacred, or Prophane, Ancient or Modern Rories. If you examine the Pagan Records ; Amongst the old *Gauls* and *Britains*, the *Druids* upon the matter managed all affairs : *De omnibus fere Controversiis publicis privatisq. constituunt, & siquid admissum Facinus, si cades facta, si de hereditate, de Finibus Controversia, iidem decernunt.* All Actions Real, and Personal, all Causes about Life and Death were brought before them as

CaJ. Com. l. 5.

x. Far. Hist. l.

14 c. 34.

* one assures us, who had reason to know them. Nor did the policy of the wise *Egyptians* vary, for *Δραστή τὸ ἀρχαῖον παρ' Ἀιγυπτίους ἰστίς ἦσαν*, as *Ælian* * witnesses. And that the Persian *Magi*

Magi had the highest Seats of Judicature, were ever Privy Counsellours, and interested in publick Transactions *Philostatus* * *L. 1. de Vir. Apollon.* informs us. Twere easie to make this good by a particular enumeration of all other Countries; but I leave the Heathens and proceed to the *Mahometans*, with whom what prodigious Power the Ancient *Caliphs* of *Babylon* had, and others still retain, any one that will but take the pains to look into *Elmacinus Hist. Sarac.* publisht by *Erpenius* may soon receive satisfaction.

If we look amongst Gods own People, before the Priesthood was confined to a Tribe, some 2500 years, the *First-born* was entrusted both with Religious Worship, and the Administration of Justice, *Moses* being Priest as well as Ruler. And that he appointed the Priests Overseers of all things, Judges of Controversies, and Punishers of Malefactors: *Josephus*, who saw the Precept reduced to Practice, tells us expressly *L. 2. contr. App.* Then who knows not that *Ely* and *Samuel*, the Lords Priests were at the same time Civil Judges in Israel. *Chytræus* makes three Confistories among the Jews, of all which the Priests were principal, and essential Members, 1. a *Triumvirat* in every City, wherein many matters, and lighter trespasses were decided, these *Grotius* *Grot. in 5. Mā. styles Pedaneos Judices.* 2. The little *Synedrion* consisting of 23. ^{21.} wherein Capital Causes were determined in the Gates of every City. 3. The Council of State, or Grand *Senat* of 70 Elders which some make to consist of 71 taking in *Moses*, others of 72. 6. out of each Tribe, the High-Priest being commonly of the numbring with the Elders excelling in wisdom and Learning, chosen out of the Levites, and Assistants out of all Israel. Now that the Priests and Levites were elected into this Great *Sanedrion* as well as the Princes, if I say before them * *Casanbon* will * *Exercit. 13.* bear me out, who makes it appear out of their best Authors, *quod c. 5.* *hujus Concilii ea fuit Institutio ut fieri possit, è solis Sacerdotibus & Levitis constaret.* The Constitution of this standing Council was such, that as neer as might be, the endeavour was it might consist only of the Priests and Levites: whence *Josephus* and *Philo* oftentimes under the title of Priests understand the *Sanedrion*. * *Συνέδριον μὲν οἱ ἱερεῖς.* To which I might adde that Political Axiom mentioned by *Josephus* as derived from *Moses*, *παραέτω μὴ δὲν*

* *Philo de vir. Mos.*

αὐτῷ βασιλεὺς δὶχα τῷ Ἀρχιερεὶ, καὶ τῆς τῶν γραμματέων γνώμης
 The King was ever to take the advice of the Priest. See *Schickard de Ju. Reg. Theorem. 2.*

Come down to *David*, whose Government was a Pattern to all his Successors. His Reign was peaceable and flourishing, nor did he want Statesmen of the most raised abilities for his employments. Yet did not this Wise, this Holy Prince think it inconsistent with the Sacred Function (which yet *St. Austin* tells us was *Operosius Ministerium* in some respect then that of the Gospel) to engage Levites in his weightiest Secular Charges. Thus we find *Hathaliah*, and his Brethren appointed Officers on this side Jordan, not only in all businesses of the Lord, but in the service of the King. And *Jerijah* another in holy Orders is made Ruler (Plenipotentiary) over the Reubenites, the Gadites, and the half Tribe of Manasseh for every matter pertaining to God, and tis added the Affairs of the King likewise, 1. Chron. 26. 30. 32. Nor was he singular in it, but is imitated by good *Jehosaphat*, who made the Levites and the Priests Judges of all the Controversies in Israel, not excluding matters of blood. 2. Chron. 19. 8. 10. Now run over the Catalogue of all the Kings of Israel, there are hardly any to be paralleled, I am sure none that went beyond these: None whose Government did more prosper with righteousness, Justice, and Tranquillity. And though under the rest of the Kings we have no express mention of the same practice, yet all things considered, we have more reason to conclude it held then the contrary: for we find *Jehoiada* the Priest chief Counsellour to *Joash*, 2. King. 11. Look into Later times, after the Babylonian Captivity, the Priests command all, and possesse the Scepter for some 100 of years; the * *Assamonean* Race being absolute Princes till *Pompey's* Conquest. I might farther remark, that many Civil Causes are by name reserved to the Levitical Cognizance, as Inquisition for Murder, false witness, &c. *Deut. 21.* Yet do not the Preachers of the Gospel pretend the least to these privileges, though, methinks, making fit allowance to the difference of times and persons, the model prescribed by God himself may safely be followed in some circumstantial.

But leaving *Moses* let us come to Christ, and see how Matters stood under the Gospel, Here though we have no instances in the
 New

* *Joseph. L.*
 13. c. 9.

New Testament of Honours conferred upon the Apostles, yet have we Prophecies (unfulfilled till then) that the world should be converted, Kings become Nursing-Fathers, and the feet of such as brought glad tidings be beautiful; which * *Calvin* and others apply * *Com. in 49. Esai.* to the bounty and Munificence of Princes to the Church. For the first 300 yeares, what could rationally be expected from professed enemies, whilst the Persecuting fury lasted, whilst every Country flamed * with living fires, and dismal sights of burning Christians: in this calamitous deplorable estate, no other honour could be looked for save that of Martyrdom. But no sooner was Gentilisme abolished, then we have a new smiling face of affaires, under the happy Reign of *Constantine*, the Churches Patron, and the Clergies Friend. And henceforth the Primitive Piety was not wanting, who thought no Honours, no powers misplaced upon their spirituall Fathers, for whom they judged nothing too dear. All Histories ring of *Constantines* Kindness to the Clergy; by whom the most weighty affaires of the Empire, in his daies were happily transacted. And most of his Successors wrote after the same Copy.

It were easy to muster a little Army of holy Fathers engaged in secular employments, We read in *Zozomen* l. 6. c. 32. that *Epiphanius* Bishop of the Metropolis of Cyprus a person of singular vertue, Prudence, and Piety *πολιτικός ἐμβασίλειον ἀνδράγατος*, was busied in Politicall matters. *Theodoret* l. 2. c. 30. reports the like of one *Jacobus* Bishop of *Nisibis*, or *Mygdonian Antioch*, that he was *ἐπίσκοπος, πολιτικός, ὁ γαμψός*, Bishop, Governour and Captain of the same City. Nay the warlike habit of *Eusebius* Bishop of *Samosata* is commended by the same Authour, the Church receiving benefit by it. And *Baronius* mentions *John* Patriarch of *Alexandria*, A. 610. that twice in a week his manner was to sit and Judge between those that were at variance, and reconcile them: Once when none came to him, he departed weeping that all the day he had done no good; but *Sophronius* replied that he had more need rejoyce, having brought the City to such order and peace, that they were more like Angels than men, having no differences left. A rare example to the immortal credit of an Ecclesiastical Judge, Sir *Thomas Moore* commanded it to be recorded up as a wounder when he had cleared one * *Court*, but here's a populous City, (hardly short of any in this nation) reduced to a perfect Unity.

* *Teda lucet in illa, qua stantes ardent, qui fixo gutture sumant juven.*

Theodor.
l. 4. c. 13.

*Sir Thomas
Moore's life.*

But I shall passe by such obscure Names, whom twere endless to reckon up, & select only a few, whose *eminent Labours* have *Eternized them to Posterity*. He begin with St. *Ambrose*, who flourished A. 378. and to his conduct, and prudence was the entire government of the great City of *Milain* entrusted. S. *Aust.* complaining that he was a long time kept from access to him, **secludentibus me ab ejus aure, atque ore Catervis negotiosorum hominum, quorum infirmitatibus serviebat*, whole troopes of Suitours about him, to dispatch their worldly busines. The next shall be *Cyrl* Patriarch of *Aelxandria*, who besides the oversight of the Clergy, had the *management of Temporal affaires in the City. Though tis confessed the Historian passes some censure upon it, but the Reason is easily discovered, because his *Darling* Novatians were a little retrench'd by it. The Third shall be the great *African* Light St. *Austin*, who Ep. 147. has this passage. *Homines quidem suas seculares causas apud nos finire cupientes, dum iis necessarij fuerimus, sic nos Sanctos & Dei servos appellant, ut negotia Terræ suæ peragant, aliquando agamus negotia & salutis ipsorum, non de Auro, non de Argento, non de fundis & pecoribus, pro quibus rebus quotidie submisso Capite salutamur, ut Dissentiones hominum terminemus.* He was every day solicited to make up some breaches about Cold, Silver, Land, Cartel &c. Yet where shall we find a more painful Preacher then this Father, where any more engaged in contests with Hereticks, or any that left a larger Legacy of his learned Labours to the Church? My last instance shall be *Gregory* (with whom some close the good Popes) who makes sad moan, *sub colore Episcopatus ad seculum retractus sum, in quo tantis terræ curis inservio, quantis me in vitâ Laicâ nequaquam deservisse reminiscor.* He was never in all his life, so incumbred with worldly businesse as after he came to be a Bishop. But afterwards he addes, *cisi cogamur terrenis negotiis intendere, mens tamen nostra seculari varietate non delectetur, sed tota in unum currat, atque confluat finem.* Though he was forced to do this for the good of his people, yet he took no pleasure in it, and his mind was taken up with better things. For all agree that these must not be undertaken out of love to them, but Christian Charity *Aust. de Civ. d. l. 19. c. 19.* but compassion towards the Oppressed *Greg. de Past. Cur. p. sec. c. 7.*

Now these Employments were conferred upon them, not as
Bishops

Greg. mag.
Ep. 5.

Conses l. 6. c. 3

Soc. l. 7. c. 7.

Bishops, but as Subjects more eminently Qualified, withal the advantages of humane Literature: But *Three* there are in which they did principally engage, and which may seeme most agreeable to their Coat. First, to be in *Commission of the Peace*, and to speak impartially, who fitter for such a work then they, whose busines, whose study tis to reconcile those that are at variance. And this was the great Design of the Ancients, though it began at first in a way of Charity, yet being found profitable twas upon mature deliberation by the Christian Emperours confirmed, judging no persons more likely to advance the publick service in this capacity, then here and there some choice Ecclesiasticks, whose inspection would both quicken, and awe the Laity. This being then an approved Maxime, *None so proper to make Peace, as they whose duty tis to Preach Peace.* All I wish is, that the covetuous feares of some interested persons, jealous *least such a Christian unexpensive ending of differences should keep their Courts, too empty &c. give not a check to the Reviving so Primitive, so hopefull a custome.*

Secondly, To be of the *Privy Council*, where frequently Cases of Conscience, relating to State-matters may arise. As suppose there be a consultation about a Warre with Foreign Nations, the lawfullness, or unlawfullness whereof must be judged in *Foro Conscientia*, and the thing will not bear so much delay as to Summon the Prelates together for advice, nor Reason of State allow it to be so much publish'd. For want of such Religious Counsellours, Princes may oftentimes be rashly entangled in unjust Massacres, and innocent blood be spilt. Now to prevent this, the Godly Prudent Princes, both of our own, and other Nations, have ever admitted some Spiritual Persons to their Council Tables, and Closet-debates. Tis recorded of *Constantine*, that he would never dispence with the absence of some of his Bishops, not at meales, *making his Court as twere a Church*, not in his journeyes, nay that he took them along with him in his Warlike Expeditions. And *Pet. Blefensis* in his 84. Ep. to *Alexander* 3. excusing the Bishops of *Winchester*, *Ely*, and *Normich*, proves at large, that tis lawfull for Prelates to be in the Courts and Councils of Princes for sundry important Reasons.

Euseb. Vir. l. 1. c. 35. l. 4. c. 56

3ly. To be employed in publick *Treaties and Negotiations of Peace*, and this both the Ancient, and Modern Practise will justify, that none have been more frequently, or more successfefully used

* *Scrat* L. 7.

L. 7. 6. 8.

* *Eunod. Ticin*
Vit. Epiphan:

* *Nicepho.*

used in such Messages, then the Embassadours of Christ. Solemn Embassies cannot be expected before the Magistrate embraced the Gospel. But in the very beginning of the fourth Century, we have *Marthas* Bishop of *Mesopotamia* sent * Embassadour from the Emperour of Rome, to the King of Persia. Presently after *Theodorick* dispatcht * *Epiphanius*, Bishop of *Ticinum*, or *Pavia*, to *Gunebald* King of the *Burgundians*, who at his request released great numbers of poor Christian Captives. Then we have *S. Ambrose* sent by *Valentinian* to *Maximus*, that commanded the British Armies, to desire peace, which he happily effected to the great contentment of his Master, *Amb. Ep. 27. L. 3.* where he likewise mentions a former Embassy. I might adde *Chrysostome* employed to treat with *Gaius*, *Baronius*: *John* Bishop of Rome commissioned by * *Theodorick* to *Justin* the Emperour, with multitudes of others. For the Moderns, the time would fail me to speak of our own and the Neighbour Nations: for this continued the Universal Practise of Christendom, till *Sincerity* gave place to *Hypocrysie*, and that new Definition of an Embassadour came up, that he was, *Vir bonus peregrè missus, ad mentiendum Reip. causâ*, a Good man sent to Lye abroad for his Countries service. Then twas high time for these holy men to resign up these employments to others, that could swallow such Camels.

Thus we have both Antient and Modern usance on our side, the uninterrupted practise of the world for above 5000 years before and under the Law, in the purest times since the Gospel, all Records attesting it both Pagan, Mahometan, Jewish, and Christian: and none ever questioning it, but some late Innovators, though tis hoped, as we have cast off the infallibility of Rome, we shall not now embrace that of Geneva, or Scotland. We have heard *Cyri*, *Ambrose*, *Austin*, not the least amongst the Asiatick, Europæan, and African Fathers, with many other Worthies engaged in Secular Employments: and if it must be censured an error, *Sic Anima mea cum Paribus*: I am willing to cast my Lot amongst them; and though it be miserable to be deceived by Authority, yet tis most miserable not to be moved by Authority, *Aug. de Util. Cred. c. 16.*

Well then, that this *de facto* has been the usage is evident, let us in the next place a little examine the *Jus* of it. And for any Fanatick

Fanatick to except against it, is a *Self-contradiction*, since their avowed Principles allowed their Teachers to follow any other Calling, either of *Camp, Country, or City* without controul, or imputation. But tis the *rigid Disciplinarian*, that takes most offence at it, and therefore to him I shall addresse my self. He suppose him to dwell in the little Common-wealth of Geneva, to be the best Head-piece among them, and shall only put this *Dilemma* to him. If the Senate, or Syndic should commission him to decide a difference between his quarrelling Neighbours, or send to advise with him about a war with their great enemy the *Duke of Savoy*, or engage him to sollicite aid of the Court of France as a Publick Agent, there being none likely to prevail but himself, and the City otherwise in danger to be lost. In this case should he be heard in pleading the inconsistency of his *holy Profession* with such an employment, and thereupon return a denial; if so, the Magistrate is in a poor condition, who must be obeyed in nothing more save what the others Calling enjoyns him, whether commanded or no: and his being in *Orders* makes the Magistrate loose the service of a subject. Sure I am, both *Calvin* formerly, and *Henderson* of late, did not scruple greater matters. Nor can necessity be alleadged here, for if the thing be simply unlawful, we must not upon any tearms do evill, though the greatest good may probably ensue. On the other side, if he may not decline it, then these two are not inconsistent, nor doth his *Function* incapacitate him for such a work; *ὁμῶς ἔδει δειξαι*.

But let Matters be made never so clear, tis feared the Vulgar have taken up such prejudices from the inexcusable businesse of some Black Coats interesting the very Pulpits in State matters, during our late Troubles (a practise never sufficiently to be condemned) that all must be bound to their good Behaviour for a while, for nothing but time will satisfy, and solve that Objection. Though tis hoped all Learned, and Judicious Persons will be more considerate, and distinguish between the frantick madness of a few giddy pates, & the sober actings of eminent Prelates commissioned by lawful Authority, and not take advantage from former miscarriages, to bring an irreparable injury upon posterity. But tis a true saying confirmed by the experience of many 100 years, *Profecto Laici semper sunt inimici Clericis*. When the World was
 Pagan

Pagan, the Devil taught the multitude to cry out, if any calamity happened, that the fault was in the Christians, *and they must to the Lions* : but now the cunning Sophister has changed the note, and if any thing be amiss either in Church or State, presently the blame lights on the Clergy, *they must be sacrificed to appease the many-headed Monster, their Lands sequestred, and all Places of trust, and honour interdicted them.*

But let us in the last place a little view the Canonical Qualification of a Bishop. 1. It is required that he be *vita probatissima*, of an upright unblameable Conversation, 2. *Nullius criminis reus*, guilty of no crime, 3. *etate gravis*, well stricken in years, 4. *Doctrinâ Præstans*, excelling in Learning, with many other of the like nature. Now if these are not kept, they have the more to answer for, whom it concerns : if they be, will not any one that reads it conclude, no persons more fit for the weightiest affairs? For all Politico's make Integrity, Prudence, and Learning the principal Ingredients to an accomplished Magistrate, a compleat *Vir-tuoso* ; so that if Aptitude be respected, I may safely affirm there are none better qualified for Counsel than the Clergy, whose Education has enabled them to look into all the *Idea's*, and *Models* of Government, Search the depths and mysteries of Empires, most of which are lockt up in strange Languages, and 'tis not every Capacity that can gain the Key. Then for true Politicks (*the late Florentine Reaches let others learn*) theres as much to be found in the Historical part of the Scripture, as any books in the World ; so that Divines may well be good Statists. And is it not pity their Country should be deprived of such admirable Abilities ? Doubtlesse those of the contrary persuasion do not weigh the Consequences of their Opinion, clearly tending to disjoyn the Church from being a part of the Common-wealth, which for 1300 years & better have been happily united, if those that are once in Orders must no longer be lookt upon as Citizens, but incontinently forfeit all their Priviledges ; Of which more hereafter.

C H A P. V.

Some Scriptures, and Canons seemingly contradicting the former Position, explained.

YET for all this I confesse many good men are strongly perswaded, that Ecclesiasticks ought wholly to be excluded from civil matters, an opinion much pretending to Humility and Self-denial, and receiving some countenance, and colour from Scripture, the practise of the three first Centuries, and some Canons of Councils, which must be the subject of our next consideration.

The Text that is most insisted upon is *2.Tim. 2.4.* which being mis-translated by the vulgar Latine, *militans Deo*, begat greater prejudices in the minds of many.

First then one might take notice, that the Sentence is general, and belongs to every one, though in a more peculiar manner tis referred to the Preachers of the Gospel, yet none can plead exemption: but others are willing to slip their necks out of the collar, and the Clergy only must be tyed to it, whom for the present we will grant to be principally concern'd. The stresse of all lies upon *πραγματείας βίη*, which *Theophylact* expounds by *σορεύς καὶ ὁχλήσεις*, the tumults and confusions of this life. *Cor. a Lapide* saies, *πραγματείας βίη* are such employments as concern food and raiment: and instances in these *mercatura, agricultura, & artes mechanicae*. Now who does not readily approve of this, and judge it very improper, that a Preacher should be a Merchant, a Plowman, or a Mechanick, do not both Common and Canon Law forbid the same? *Eftius* has much to the like purpose, *πραγματείας βίη* &c. *qua quis exercet ut habeat unde vivat*, and quotes to this sense a saying of *Ambrose*, *Indecorum est homines curare de cibo, qui militant Deo*: this rather flies in the face of them that permit their Preachers to put on blew Aprons, and make them such sordid allowances, that they must either work with their

hands, or starve. Seeing tis not comely that the Lords Warriors should busie themselves about inferiour matters, that tend to get a livelihood : And so *Valla* renders it, not *negotiiis*, but *negotiationibus*. When Christ employed Fisher men to preach his Gospel, weak instruments to confound the Powers of the world, though he furnisht them with suitable abilities, that they needed not to study, yet he made them leave their Nets, and not use them as an ordinary Profession. *Calvin* saies that by the affairs of this life, the Apostle meant the care of governing and ordering a family, and such ordinary employments. If then we keep strict and close to the Letter, I see no remedy, but all must run into Cloysters, and shake hands with the World : and we know what a conclusion the *Rhemists* draw hence, and what they condemn as a special impediment to Church warfare. So that if from this the Clergy be denied, intermeddling in any secular affairs, the next step must be to forbid their marrying, which unavoidably brings with it many incumbrances and family-necessities, but this smells so rank of the Monk and Hermite, that I hope twill not be swallowed by any Protestant, and *I did not believe the Lemane Lake would so easily have mixed its waters with Tyber.*

The Apostle here makes a comparison between prophane, and spiritual warfare, and the better to understand the genuine sense we must consider what Military Discipline did require. *Vegetius L. 2.* saies, that by the laws of war, he must not have any private affaires committed to him, nor mind his own gain. Hence we read the Romanes severely proceeding against *Posthumius* for employing his souldiers to till his ground. *Vid. Legem Honorii & Arcadii Tit. Nemo Miles.* And *Leo* the Emperour saies expressly, those that are armed and maintained by the Common-wealth, must only mind publick affairs, and not till the ground, keep Cattle, or traffick, *L. Milites. Cde Re militari L. 12.* All avocations were inhibited, and such Matters as tended to the publick good enjoined. And why should not the same analogy hold here, and such affairs be permitted to the Clergy as tend to the good of the Church, and the glory of their great Commander.

Next we are urged with the Apostles practise, who were so tender of any interruption, that they denied to attend upon Tables, and make provision for the poor. Tis true, in the Infancy of

of the Church', when the Gospel was to be publish'd all the world over, the work great, the labourers exceeding few, not one to every Country, the least diversion at such a time would prove a considerable hinderance, and distraction to them. But when the Lord of the Harvest has increased the number, and plentifully furnish'd his peaceable settled Church, every Village being now supplied, and if the complaints of some be true, the nation so overstock'd, that there is hardly imployment, much lesse maintenance for the multitude: In this case to make no difference of times, where the mercifull Providence of God has made so vast a distinction, seemes little agreeable to reason. But if from this, occasion must be taken presently to forbid every petty interruption and disturbance, how came St. *Paul* to contradict himself, and to follow his Tent-making, labouring with his hands for a livelihood, which must needs take up a good part of his time, and hinder his praying, and preaching. Adde to this, that the 7 *Deacons* appointed by the Apostles to succeed them in the care of the Collections, were according to *Epiphanius* of the 70 Disciples, yet for the publick benefit their constant preaching was now and then dispensed with to attend on Tables.

3ly. We are threatned with several Canons roaring against it, but tis supposed upon search, they will be found *falsely charged*, and prove only *bruta fulmina*. And here I cannot but admire the modesty of the Primitive Church, and the charity of the people, the earnestness of Princes in commissioning Spiritual persons to compose all emergent differences, and the forwardness of the oppressed in flying to their impartial Tribunals for Justice; whereupon the holy Fathers in process of time thought it wisdom to take off their Clergy from those affaires, by sundry severe Canons in many Councils. Twere easie to reckon up several prohibitions to this purpose out of *Balsamon*, *Zonaras*, *Binius* &c.

It would be an infinite task to give particular answers to each Canon, and therefore I shall lay down some generall Rules, which may much conduce to the better understanding of them all, and if well applied may help to solve most.

First, Tis cleir, the great design was to forbid *ambitious seeking after*, and *voluntary engaging* in secular matters, for sordid ends, and covetuous principles. And this may probably be col-

lected, because we find a dispensation given, when imposed by the supreme Magistrate: In the Council of *Sardis* tis granted upon the motion of *Osius*, *Si relligiosi Imperatoris literis vel invitati, vel vocati fuerint*, and undertaken in obedience, as causes of Piety and charity, overseeing Widowes and Orphans, provided it extend not to the notorious neglect of their religious callings. Thus *Justin Martyr*, *Apol. 2.* calls the Bishop the great Steward of all the Poor, the contributions of the faithfull being laid down at his feet, and by him distributed. And *Ignatius* to *Polycarp*. that he was the great Trustee of the widowes.

2. It is not so much a *total prohibition*, as a *prudent Restraint*, least animosities, and jealousyes should arise in the Laity, by too much encroaching upon their Courts, and therefore the wisdom of sundry Councils, confined the Clergy to such matters as were properly of *Ecclesiastical cognizance*.

The Third ground and reason of these interdictions, was not the unsuitness and incapacity of Spiritual persons, but out of respect to their *eminent callings*, least they should be disparaged by vile and mean employments, and expresse mention is made of forbid offices about Princes and Noble-men, as Stewards, Bailifes &c. But when by the favour of Princes, their employments were honourable, and their temporary diversions, did bring abundant recompence to the Church; we see those that had the principall hand in enacting these Canons themselves engaging. Now can it be supposed, if this had been the meaning, they would have been guilty of so grosse a contradiction, and no future Council reprove it. *Cyprian* much confirms me in this opinion, who *l. de lapsis*, is perswaded that God sent the great persecution under *Decius* only to awaken the Christians, who were grown exceeding corrupt, especially the Clergy, for he complains that the Bishops themselves abandoned their holy Functions, & dealt in matters of the world, haunting Marts and Faires for filthy lucre sake. And much to the same purpose we find in our own *Bede*, *Gildas* &c. Now to beat down these enormities were so many Canons levelled.

But to make peace between quarrelling nations, to compound differences amongst Christians and such like, tending to the honour of God and the glory of the Gospel, which may be often practised without Detriment to their spiritual charges, I never find

find these expressly forbidden, or such as engaged in them, as *Cy-ril, Austin, Chrysostom, Gregory, Bernard &c.* condemned. For if *St. Paul* became all things to all men to gain a Soul, will not that example bear his Successors out, if they go to the utmost verge of their Christian liberty, still keeping on this side sin, to preserve Kingdoms, the Churches peace, and prevent the effusion of Christian blood: Their absence some daies from their private charges will be abundantly recompenced by such happy consequences.

4ly If the utmost rigour must take place, and no dispensation be granted, how shal we reconcile the severe Edicts of some Councils, whereby the Clergy are strictly enjoined to take no care of their Families, but only and wholly to be intent upon reading, praying, and preaching (*Carthagin. 4*) with that of *St. Paul*, who pronounces such a one worse then an Infidel. All sober men will allow them to provide, but not so as to neglect their holy Function, and this holds as well in Civil, as Family affairs.

Thus being out of Canon-shot, we may securely proceed.



THE CLERGIES TITLES.



be censured as

IS the Observation of some that man comes into the world with his Face downwards, looking from God, and ever since his Nature was tainted by the fall, there remains in him an indisposition to good, and tendency to evil. Now because openly to fall fowle upon Religion it self, would down right Atheism, therefore the devil has taught

taught many a no lesse effectually, but much more secure way to begin with the Preachers of the Gospel, to slight and vilifie them, to deny them any reverend or honorable title: *Chrysost.* is expresse to this purpose (in *Psal.* 13) that Hereticks have learn'd from Satan not to give any names of honour to the Clergy, and all this under a specious pretence of keeping them humble, that they may not grow proud. A hopefull design! and like well to doe the work: when we see *Servus Servorum Dei*, under the disguise of this lowliness take more upon him, then Majesty it self, making euen Emperours kisse his Toe, and hold his Stirrup. But the spirit of God is not sparing in asserting their just rights, and he might have done well, to forbear, if there had been any such danger of puffing them up, they are styled, the Lords Messengers, *Hag.* 1. 13. *Coworkers with God*, *1 Cor.* 3. 6. *Embassadors of God*, *2 Cor.* 5. 20. Nor is any thing more common, then to entitle them *spouses* *1 Tim.* 5. 13. *hymenaeus* *Heb.* 13. 7. 24. appellations of honour given every where to Secular Dignity, and cannot be rendred into any vulgar language without borrowing from the Civil.

Nay let me speake it with reverence, never did Court-flattery attribute more swelling names to the proudest Potentate on earth, then the scripture does to Preachers of the Gospel, styling them Angels and Starres *Rev.* 1. Light of the world, *1 Cor.* 11. and higher then which tis impossible to go, Gods, *St. John* 10. 34. And *Hierom* notes, that when *St. Paul* tearmes himself the Apostle of *Jesus Christ*, he speakes as loftily, as if he said *Præfectus Prætorio August. Caesar*: Lord cheif Justice of *Augustus*, *Magister exercitus Tiberii Cas.* Generall of *Tiberius* Armies. So that here I can not but complain with the learned *Mede* of the Title *Minister*, as very incommodious, and improper for the Preachers of the Gospel, begetting an erroneous conceit in the vulgar, as if they were their servants, who may more truly be called their Masters to teach them, and this is farther promoted by those, who in their common discourse use the language of *serving* such or such a *Cure*. But is it not a Solecisme to call the shepherd the Sheepes Minister, or servant? To prevent this, he rather recommends the word *Priest*, being only the Evangelical Presbyter contracted: or if the long engrossing of that by the Papists, have made it odious

to nice cares, let Presbyter in the full sound be retained, a word as soon, and as easily understood as Minister. But tis a difficult task to alter so rooted a custom, and we may sooner suggest what is expedient to be done, then find out a way to Reform it. Though it neerly concerns the Clergy in such an Age as this to be cautious, that they give not the least occasion, which may contribute to their own debasing.

I am not good at Heraldry, and therefore shall not take upon me to blazon the several Coats belonging to spiritual Dignities. Only I cannot but remark, that the Canon Law calls Patriarchs *Super-Ilustres*, Arch-Bish. *Illustres*, Bishops *Speſtabiles*, Doctors *Clarissimos*. Nay *Chaſtaneus* proves out of the *Clementines*, that the Title of *Serenissimus* belongs to the Bishop. But I shall not follow the wild extravagancies of these men, whose sordid flattery giving too much to the Clergy, has made others unwilling to give any at all, at least not their Due.

Let us passe on to those we can better rely upon. *Leo Africanus* assures us, that the *Moors* call many of their Ecclesiasticks Seriphs, i. e. Noblemen. The Hebrews had no higher name then מַלְאָכִים to speak Honour and respect, frequently applied to God himself, to Kings and Princes both of their own and other Nations, the *Philistine* Lords being called by it, *Josh. 13.* yet you find *Obadiah*, Controller of the Kings Family, and one that feared God, accosting the poor Prophet *Elijah* in that Language, *1. King. 18. 7.* and his servant *Elisha* saluted with the same appellation, *2. King. 2.*

The most Honourable name the *Greeks* had was *κλειστός*, and yet how familiar is this in the New Testament: and if Antiquity may come in to explain it, there are no expressions more frequent to writers both of the first and middle ages concerning Bishops, then *κλειστός ἀγιώτατος, θεοφιλέστατος, τιμιώτατος*, which if a man should render most holy and Honoured Masters, twould hardly consist with the State attributed to them, even in those early daies, where the Consecration of a Bishop is styled sitting on a Throne. Now the Modesty of the Ancients did receive these Titles of Honour without stain of pride, or blemish to their Humility, having Christ for their pattern, who approves his Disciples calling him Lord and Master. Gospel meeknesse may well stand with

with an Honorable Title, and no wise man will be puffed up with an aery sound. Tis the affecting of it then that Christ condemns, when he forbids any to call his Disciples Master. *Mat. 23.* otherwise, if the letter be urged, all of us must turn Quakers, and shake hands with civility. Honour those that are over you, *Phil. 2.* and what lesse honour then in a word.

Now does God command, and shall we scruple to give it, and censure them that receive it? What Barbarous impiety is it, to set so low a rate upon Learning and Religion, make them so servile, that no Appellation of Reverence or esteem must be given the Professours of them? Is it for the honour of England to grudge a small title to the Pastours of Souls, which all the Governours of our Bodies, and Estates enjoy without regret, which any common Artizan, that can but scrape together a little wealth, and is promoted to Office, is saluted with, and we saw of late was given to Brewers and Coblers, &c. Is it for the Honour of England to court and respect the Embassadours of men, and to slight those that represent the person of Christ, and rank them with the basest Peasants? Nor is this due to their persons only; for let them be never so vicious, their Professions may challenge it. For Jesus Christ saith *Cyprian. L. 3. Ep. 19.* yielded honour unto the Priests of the Jews, though they retained neither the fear of God, nor knowledge of him, teaching us lawfully and fully to honour true Priests, by his behaviour unto false. And *Chrysostom* speaks roundly, *Hom. 2. in Ep. 2. ad Tim.* This is the cause of all evil, that the authority of Ecclesiastical Rulers is decayed, and no honour, no reverence, no fear yielded to them. He that is religiously affected to the Priests, will with greater piety reverence God: and he that despiseth the Priest cometh by degrees to this, that he waxeth contumelious against God himself.

I know many are scandalized at the Lordliness of our Bishops, for no other reason then that it comes too near the Roman garb. But is it not a piece of folly, that every thing which carries with it the face of order, and decency must presently be decied as superstitious and Antichristian: and all that defend it charged as friends to *Rome*, *Cassandrian*, *Grotian* Papists. I must professe, tis my perswasion, that the peevishnesse of many Reformers carried

ried them farther from Rome, then necessity required, and many profitable commendable things have been disused by us, because practised by them: but is it charitable is it rational to conceive that Church so full of errors, that it had not one dram of truth remaining, that once pleasant Garden of Christ so overrun with weeds, that it had not one good flower in it? I remeber Valentinus Gentilis made it a great argument against the Reformed Chuches, for that they agreed with the Papists in the Doctrine of the Trinity. But we must not tearm every thing Superstitious that is believed or practised by the Church of Rome, no more then we do every thing Ceremonial, that we read of in use amongst the Jews, who we know had customs Moral, as well as Levitical. I shall never therefore rashly condemn any thing as Popish, meerly because I find it amongst them, unless Scripture, Antiquity, or reason induce me. Sure I am, *Peter Martyr*, and *Jewel*, were never suspected adherents to that party; yet see what Titles the former gives the later in the Preface to his Treatise of Ubiquity, and every where in his Epistles.

But I shall not waste time and paper in contending for this, since if the *Substance* be once recovered (the Revenues, and Jurisdiction) this *Shadow* will soon follow.



THE CLERGIES PRIVILEDGES.

CHAP. I.

The ancient Immunities of the Clergy, with their present State in other Nations.



He Prudent Piery of the first Christian Emperours for the better incouragement of Religion, and Learning, conferred many large Immunities and Exemptions upon Church-men, freeing them from Subsidies, Impositions, and sundry Services where-with the rest of their Subjects were burdened.

Eccle. Hist.
L. 10. c. 7.
Zozom. L. 1.
c. 9.

* *Eusebius* and *Zozomen* record several Priviledges granted by *Constantine*, that those who minister in holy Religion, be wholly free and exempt from all publick burthens. Nor were the Ancient *Franchises* of our *British* Church short either for number or extent, being all confirmed by *Magna Charta* without restraint. My Lord *Cook* acknowledges that the Clergy had more and greater liberties then other of the Kings Subjects, which to set down would ask a Volume; some few he recites, as that they were discharged from *Purveyances*, *Tols*, *Customs*, *Distresses* by the Sheriff in the old inheritance of the Church, with others of the like nature. But most of these are now lost, and their condition reduced below the meanest Calling in the Nation. It would make a man mourn and weep, as often as *He looks* back upon the Charity of our Saxon Ancestours, who in their greatest Impositions ever excused Ecclesiasticks, no part of that insupportable Tax of *Danegelt*, under which the Kingdom so much groaned, being paid by them, and till after the Conquest they were ever priviledged. For * *Ethelwolfe* in a full Convention of his States at Winchester, A. 855. enacted that Tithes and Church-Lands throughout all his Dominions, should be free from civil burthens and exactions, as much as Royal Tributes great and smal. But how strangely has the Case been altered of late? How unequal were Contributions and Quarterings during our Intestine Wars? What heavy burthens did the poor Clergy bear? no Redresse to the bitterest complaints being found from their Lay-Judges, who only made sport at their misery and oppression, as if nothing were too bad for Black-Coats. Now those daies, through mercy, are over, and must be forgotten, but still to be wounded by the hand of their friends, and to receive the same hard measure from pretended well-wishers, that *strikes to the very heart*. When no regard is had of all their past sufferings, *First-Fruits*, Tenth (no small standing Revenue of the Crown, amounting as some com-

* *Spelm. Glos.*
V. Daneg.

* *Spelm. Con.*

pute

pute to neer 40000. per an.) which they joyfully discharge, but they must still be left to the arbitrary disproportionat Impositions of every domineering insolent Officer. The Consideration hereof has convinced many (formerly of a different perswasion) that tis not onely useful, but expedient, but necessary to the Church to have some of its own order in power to protect them, and hear their just grievances. But what farther concerns our own Priviledges, being so learnedly handled by the immortal *Spelman*, and the General ones so fully Collected by * *Rebuffus* and others, I shall not here insist upon them. De Stud. privileg.

The grand Concern at present which I principally design, is, how far they were priviledged as to publick Assemblies, and State Consultations. And that *Constantine*, with many other succeeding Emperours made use of their Advice both at home and abroad, employed them in Embassies, and other Important Transactions has been already demonstrated. It now remains to see how they fared in other Places. And first, if such an Argument could hope to sway with Christians, it should soon be proved, that those, who attended the worship of the Heathen gods, were admitted into the Pan-Ætolium, and Amphictyonian Council, amongst the *Athenian* Areopagites, and Roman Senators, that the old *Gauls* divided their States * in *Druidas* (who had *omni-um Rerum immunitatem*) *Equites*, *Plebem*, as the * *Egyptians* did into Priests, Soldiers, and Artificers. But leaving *Gentilisme*, I shall hasten to Christendome. And here once for all premise, that by the Fundamental Constitutions of most Nations in Europe, Three Estates are generally settled, whereof the Clergy, or Priesthood is ever one. Now to make this good, though I might produce variety of Instances, yet I shall content my self with the single Testimony of *Calvin*, knowing that it will go farther with many then a Jury of others. This we find expressly asserted in that * Piece which some cry up next to the Writings of the Apostles, in *singulis Regnis tres sunt Ordines*, which how to make up without the Spirituality is beyond my skill. In our neighbour Nation of France the practice is notoriously known, the antient style of the Royall edicts alwaies running, as tis recorded of *Pepin A. 744. per consilium Sacerdotum*, & *Optimum ordinavimus*, & *per consilium Sacerdotum*, & *Optimum Ordinavit Carolomannus*. It might farther be noted, that Instit. L. 4. c. 20. sect. 31.

Chappinus.

Stanisl. Krzis.
Janowick De-
scrip. Pol.L. de Comitibus
imp.

Six Prelates here are *Peeres* of the Kingdome, Three of them being styled *Dukes* & three *Counts*, though the whole number of the *Pairie* exceed not 12. As likewise that the Bishop of *Paris* has a peculiar Indulgence of being present in every Court of that Royal City without exception. Look into *Hungary* there *Thwroczius* informes us, that by the Fundamentall Lawes of *K. Stephen*, the Bishops in *Concilio Regis Primi assistunt*. Poland comes behind none in its Reverence to the Clergy, where the Arch-Bishop of *Gnesna* is *Primas Regni*, & *Princeps primus*, whose Jurisdiction is not limited to the Spirituality alone, but has the chief place in the rank of the Senators assigned him, the greatest Authority in all Consultations. And when at any time there happens an *Inter-regnum* (as it frequently may in those *Elective* Kingdomes) it belongs to him to Summon a Dyet, to give Audience to Foreign Embassadors, and to appoint a time, and place for the choice of the new King. After him follow the rest of the Ecclesiasticks, who in the * *Assemblies take place of all the Secular Nobles*. My Authour farther enlarges this to have proceeded from the Piety of the *Polish* Kings towards the Church, that the Sonnes of it, should for ever have the highest Place in all Conventions, with many other Priviledges, which to this day they enjoy in his own words (*No Clergy-man neither, but a Lawyer*) *maximo illius Regni Commodo, Emolumento, Adjumento, addo & Ornamento*. *Id. Cromerus* addes, that there is ever a Royal standing *Council* assigned the King, of which number there are alwaies Two Arch-Bishops and Seaven Bishops. Then how considerable a number in all the *German* Dyets, the Ecclesiasticks are * *Panvinus* is a witness beyond exception, who reckons up 34. Bishops that have their votes there, besides Abbots, Priors &c. who passe for Religious Persons. And in the Septemvirate, we find no lesse then 3 Clergy men, *Ments* Arch-Chancellour of *Germany*, *Coln* of *France*, and *Triers* of *Italy*. I shall wholly out of this Catalogue omit *Spain* and *Italy*, as being such known Vassals to the Pope, where the Clergy rule the roast. But one word dashes all this, they are *Papists*, which is argument enough to many to condemne a thing, though back'd by never so strong reasons. Let us examine how matters stand with others, who have no correspondence with *Rome*. *Andreas Bureus*, in his description of
Sweden.

Sweden, acknowledges that the Ecclesiasticks were heretofore the *prime men* in the Senate, till the Covetuousnes of *Gustavus* the first, despoiled them of their Revenues. Yet since the Reformation they still to this day retain their suffrages in all publick Dyets of the Kingdome. And when the new Crowned King makes choice of his Counsellours the Arch-Bishop of *Upsal* is still the first; who is allowed a greater proportion of Attendants, when he comes to the King, then any Noble-man in the Nation, no lesse then 40. Horse being permitted him, whereas others Retinue must not exceed 30. And in the great Assembly, A. 1600 convened at *Lincopen*, we find mentioned both Bishops and other Ecclesiasticks. For *Denmark*, *Pontanus* recites 7 Bishops, as the Ecclesiasticall Nobility, who have Votes in all grand meetings. *Jonas ab Elvervelt* distributes the states of *Holstein* into Three Orders, 1 King, and Princes, 2 Prelates, 3 the Families of the Nobles, and he makes the Bishops of *Lubeck*, and *Sleswick*, the 2 *prime Peeres* in all the Dyets. In Scotland anciently the Bishops and Prelates were essential members of Parliament, and had their Seates on the Right Hand of the Prince. And in a Parliament held at *Edinburg* A. 1597, a Vote passed for restoring the Clergy to their Original Priviledges, as the 3 Estate of the Kingdom, the Learned King *James* condemning that Act of Annexing their Temporalities to the Crown, as *vile and pernicious. Then for *Geneva*, who is so much a stranger to the conduct of that Reformation, as to be ignorant, what a stroke *Calvin* and others had upon the Senate or grand Counsel, which gave occasion to the complaint of some, that they had expelled *one Bishop*, and admitted many. If remoter Countries be regarded amongst the Abissines, the Clergy is Paramount, *employed in affaires of all natures, and we read in *Damianus a Gôes* of *Zaga-Zaba* an Ethiopian Bishop Viceroy of *Bagana*, sent Embassadour to the King of *Portugal*.

In *Muscovy* their Supream Convention, which the Inhabitants call *Zabore*, consists of the great Duke, 20 Nobles, and as many Ecclesiasticks, the common People being wholly excluded. And when they are met together to deliberate, the Patriarch, and Ecclesiasticks are first consulted, and deliver their Opinion.

I shall conclude this Paragraph, only reminding that neither *Pagans*, nor *Mahometans* are so inhuman, so discourteous towards their

Burei Descrip.
Succ.

MS in Arch.
Bodl. entit. the
man. of bald.
Par. Scot.

Basil. Dor. 1.
2. F. 42.

Dresser. Orat.

Gagnin

Orat. pro Dom.
suâ.

their Priests, as to deny them this Liberty. For *Tully* acquaints us, that it was by the appointment of the gods, that the *Pontifices* should not only take care of Religion, but *summæ Reip. præesse Voluerunt*. Nay at this very day the Barbarous Turks never exclude their Musli, but allow him free entrance into all their Councils, and Divan.

CHAP. II.

The Clergies Antient Priviledges in this Kingdom, and their Restitution pressed by many Arguments.

TIS Recorded to the Glory of *England*, that her Bounty and Liberality to the Church in Stately Fabricks, and Revenues, her Favour and Indulgence in large Priviledges, and Immunities have come short of no Nation in the World. I might produce many instances to that purpose; but for the present shall single out one, as more *eminent and glorious* than the rest, viz. *Admitting them to all publick Debates, and Assemblies.*

I'll begin with the *Saxons* who had many solemn meetings, 1. their *Scire-Gemots*, which some learned Antiquaries resemble to our *County-Courts*, or *Sheriffs-Torn*, in which all Causes, both Criminal and Civil concerning Church, or State were handled. The Persons bound to be present, were the Sheriff, the Bishop, and all the Nobles of the County: till at last upon their Humble Petition Ecclesiasticks were dispensed with by the Statute of *Marlborough* 52. *Edw.* 3. unless urgent necessity required it.

Secondly, Their *Folc-mots*, a kind of Annual Parliament, commonly held the beginning of *May*, in which all the Princes of the Kingdom, Bishops, and Magistrates assembled, and the Lairy took the Oath of Allegiance, and confirmed their own mutual Union before the Bishops. The Original of this is intimated to be as high as King * *Arthur*.

Thirdly. Their *Wittena-Gemots*, or Mycel-Synoth, the Grand Convention of the Wisemen. These whosoever desires to look farther

* *L.L. Edu.*
Conf. c. 35.

farther into, may have recourse to *Spelmans* Laborious Glossary, *V. Gemot*. Now out of none of these were the Clergy excluded, but ever reckoned an eminent Principal part of each, their Counsel, Votes, and Approbation demanded before any Laws were constituted.

For proof of this we shall look back above 1000 years, to *Ethelbert*, who presently after *Austins* arrival, A. 605. call'd a grand Assembly, *tam * Cleri, quam Populi*. In the Laws of King *Ina*, ** Spelm. Con. p. 126.* which *Florentius Wigorn.* dates A. 686. *Spelman* 692. *Lambard* 712. we read that they were written by the perswasion and advice of his Bishops *Hedda*, and *Erkenwald*: and though *Spelman* excerpts no more then concern the Church (as being only proper to his design) yet *Lambard* mentions many *Civil* matters there determined. And when the Great League and Union between the Britons, Saxons, and Picts was concluded we have it ratified *per commune Consilium, & Assensum Omnium Episcoporum, Procerum, Comitum, & omnium Sapientum Seniorum & Populorum, Bed. Hist. l. 1.* & per *Præceptum Regis Ine*. In the Laws of K. *Ethelstan* about the year 924. (*Spelm.* 922.) theres no mention of any other Counsellours for their enacting, but his Arch-Bishop. *Ulfhelm*, and the rest of his Bishops, who were at least the Prime Persons ** Lamb. p. 45.* there, though the Body of the Laws concerns * secular affairs, *Spelman* selecting only Ecclesiastical, yet in the Title he owns others passed. In the Laws of *Edmund* about A. 946. the King had a full meeting of Ecclesiasticks, and *Laicks* at *London*, in which were present *Odo* and *Wulstan* the Arch-Bishops, none of the rest being once named. Again A. 948. to a great Convention of the Estates at *London* under *Edred* Writs of Summons are issued out to the Arch-Bishops and Bishops, and yet there *agitur de Negotiis Regni*, civil matters are treated of. *Ingulph. p. 875. Spelm. Con. p. 428.* *Id. p. 57.*

Come to the *Danes*, A. 1021. we find a Publick Assembly called at *Winchester* by *Canutus*, which an Old MS. stiles a *Parl.* wherein were present *Wulstane*, and *Adelnode* the Arch-Bishops, with other Bishops, Dukes and Earls: and though there may be a mistake in terming it a *Parl.* the name being not known in that Age, yet the substance may be true as to the Members of the *Spelm. Con. p. 534.* Convention. And that none of these were *Hali-Gemots* or *Chirc-*

Gemots,

Gemots, (which the Moderns term *Convocations*) will appear, because the usual Title of them is *Magna Servorum Dei Frequentia*, LL. Inx A. 727. & alibi passim.

Now during these 2. Periods there's no mention of *Baronies*, but all the *Church Tenure*, *Pura Elemosyna*, *Frank*, *Almoign*, and the Bishops sate only as Eminent Prelates by virtue of their Spiritual Dignities. For there being hardly any Laws but some way or other concerning Religion, and the good of Souls, therefore in the enacting of them the Counsel, and advice of the Clergy was ever required by our prudent Ancestors.

LL. Edg.

Thus much for the Grand Assemblies, styled usually by *Spelman Pan-Anglica*, and *Pan-Britannica*; the more private this Statute of *Edgar* will put beyond all dispute, injoining, *ex omni Comitatu bis quotannis Conventus agitor, cui quidem illius Diocesis Episcopus, & Senator intersunt, quorum alter Jura Divina, Humana alter Populum edoceto*. Nor can *Selden*, who ever sits upon the Clergies skirts, if he gets the least advantage, deny that the Bishop was joyned with the Ealderman. This was afterwards confirmed by *Canutus the Dane*. *Spelm. Glos. v. Alderm*. Much more might have been said of this, but that I am prevented by a learned pen, whose Piece I had not the fortune to see till my Collections were finished, and finding we jump in many things, am now forced to wave them.

4 Titl. of Honor. p. 2. c. 5. S. 5.

Hitherto the Saxon and Danish Government: passe we down to the Normans, and here we have *Will.* solemnly with an oath ratifying the Laws of *S. Edward*, and this of *Remark* is added, *Siquis sancte pacem Ecclesie violenter infregerit, Episcoporum est justitia* Lam. p. 139. parag. 6. And in sundry old Royal Precedents of writs, we read such clauses as these, *Nolumus quod libertas Ecclesie per nos, vel ministros nostros quoscumque, aliquo modo violetur; & Jura, & libertates Ecclesiasticas illasa volentes in omnibus observari*. *Registr. in Brev. Orig. passim*.

And here we come to that great Change in the State Ecclesiastick, the Bishop, who had been ever reputed, and enjoyed the Priviledges of *Thani majores* among the Saxons, are now translated to Barons, which gave occasion to that groundlesse error of some to Date their first Sitting in Parl. hence, as if the Conquerour to curry favour with the Clergy, the better to settle his new gotten Kingdom

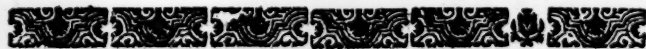
Kingdom, conferred this honour upon them. But certainly if there were truth in this, the Clergy are much too blame and very ungrateful, who returned nothing but complaints and murmurings for so great a Favour: and all the Writers of that age must be corrected, for representing him as a profest Enemy of the Church. To clear up this, I shall give but one instance. In an old Record, entituled, *Liber St. Albani*, we read this passage of *Frederick* the Abbot, that to obstruct the March of *Will.* he felled all the trees about him, and laid them crosse the waies; whereat the Conquerour was so enraged, that afterwards, sending for him upon Security, he demanded of the Abbot the meaning of that cutting down the woods, who resolutely answered, I have done but as becomes me; and if all the Spiritual Persons throughout the Kingdom had done their endeavours against thee, as they might, and were in duty bound to have done, thou wouldst never have been able to enter the Lund thus far. The Duke replied, is the Spirituality of England of such power? *If I live and enjoy that which I have gotten, I will make their Power lesse.* Add to this that Stratagem of the Kentishmen in surrounding the King, and forcing him to a composition under the conduct of *Stigand* the Arch-Bish. which so nettled him, that he never was heartily reconciled, and proved as good as his word to the Abbot, oppressing the Clergy all his reign, bringing them under Knights service, and ordering how many Souldiers each Bish. should maintain for him, and his Successours, the Church till his daies being free from Bondage. *Let no man then dream that such an enemy as Will. did as an Act of Grace, and Favour, erect them into Baronies, which was ever lookt upon as a grievance, and glorious Piece of slavery.*

This was a shrewd shaking, yet still they preserved their Votes in all Assemblies, and upon summoning Parl. Writs are directed Archi-Ep. Ep. &c. All ancient Charters and Grants subscribed, (after the mode of those times) *testibus Archi-Ep. Ep.* In a Treatise entituled, *The Form and Manner of keeping Parl.* (*MS in Arch. Bodl.*) which *Selden* allows to be as long standing as *Edw. 3.* but *Cook* adds neer 200 years more, and raises it to the Conquerours time, which the Title pleads for) we are told that 40 daies before Summons are to be issued out to the Arch-B. P. and other great Clerks, that held by County or Barony. Nay the

Clergy in each Shiere had two Proctors representing them which had more authority then the Bish. in things to be granted or denied in Parl. We are farther informed, that the King may hold a Parl. for the Commonalty of the Realm without Bishops, Earls, or Barons, so they had Summons, although they come not. But on the contrary, if the Commonalty of the Clergy, and Temporality being warned, either do not or will not come: in this case, what ever the King doth with his Bishops, Earls and Barons, is of none effect. For to all Acts of necessity the Commonalty of Parl. must consent, *i. e.* the Proctors of the Clergy, Knights of the Shiere, Citizens and Burgessees, for their Persons represent the Commonalty of *England*, and the States do represent but their *own persons*. Id. I have seen another ancient Mss. (in Bibl. Cotto.) confirming the same, with this title, *Modus tenendi Parl.*) and citing other large Priviledges of the Clergy.

But why stand I upon this, when Mr. *Prin* himself, whose testimony I the rather mention, he being known a profest enemy (though as he has lived to retract his Anti-Monarchical, so tis hoped he may his Ante-Episcopal Principles) in his Historical Collections of the Ancient Parl. of *England*, acknowledgeth, that during all the *Saxon* times from about A. 670, till King *John*. About 1200. the great Council of the Nation, or Parl. consisted only of the King, Princes, Bishops, Dukes, and Nobles, no lower House being then known, which our best Antiquaries conceive took its original about the time of *Hen. 3.*

I shall put a Period to this, with the Testimony of our English Papinian, my Lord *Cook*, who assures us, *that 24 Spiritual Persons ought ex debito Justitiæ*, to have a Writ of Summons sent them every Parliament.



This Premised; I shal now speak a bold word, if the *proudest* Adversary can produce instances of any Solemn Meetings, *Wittinagesmotts*, or Parliaments for 1000 years past, whereunto the Clergy were not summoned, any Statutes publickly enacted during

ring all the Christian Saxon, Danish, and Norman times without their Assistance, or Advice, by my consent the Cause shall be given up. As for the Precedent of their Exclusion under *Edw. 1.* at *S. Edmundsbury*, which some triumph in, if there be any truth in the Narrative (as may well be questioned) we know it was done in a *Pet.*, a transport of the *Royal* Displeasure for their obstinate adhering to *Rome*, and non compliance with his Demands, who yet the next *Parl.* about a year after makes an Apology for his extravagancies (doubtlesse with an eye to that *Act*) charging all upon the present exigences of his Affairs. And why should this be urged more against the Clergy, then that other is against the Lawyers, who were shut out of the Laymens *Parl.* under *Hen. 4.* where yet we find the Bishops, and among others *Tho. Arundel*, stoutly resisting, and preserving the Clergies Temporalties, which those Church-Robbers gaped after; who, so they might spare their own Purses, were content to spoile their God to relieve their King. Certainly, if envy it self could have found out the least colour of Law to deny them this Priviledge, it had never been reserved for our unhappy Age. Many times have they been struck at, many great blows received, as at *Clarendon* under *Hen. 2.* where their wings were much clipt, yet still they are permitted, *Interesse Judicis Curie Regis cum Baronibus quousque perveniat ad Diminutionem membrorum, vel mortem*; still their Votes are safe.

Walsh. Vit. Ed. 1.

Do but look into *Magna Charta*, which all our Kings at their Coronation are sworn to maintain, we shall find in favour of the Clergy, *We have granted to God, and by this our present Charter confirmed for us and our Heirs for ever, that the Church of England shall be Free, and have all her whole Rights, and Liberties Inviolable.* All the Nation being content to stand accursed if this Grant were at any time infringed or diminished, and any thing that should be done contrary to this was *ipso facto* declared void. 26 *Edw. 1. c. 2.*

Now it becomes us to examine, what those Rights were the Church enjoyed at the ratifying that Charter and through all succeeding Ages hath practised, until our late Unnatural Divisions, and let us not put our Princes upon a necessity of Perjury, which, (some are of Opinion) can hardly be avoided, unlesse either that Oath be wholly omitted, which few true English Hearts wish for,

or some Alteration made , which, of how Destructive consequence it may prove in time, let others judge. What is the *Clergies hard Fate to day, maybe others to morrow*. And we had a late sad example , the doore being once open, how farre the House of Commons went in turning the Temporall Lords after them. I am not ignorant , that many foule big crimes were objected to them, that it might passe the curranter, but the plain Truth is , their *Grand* (I had almost said) their only Fault was *Loyalty* to their Prince. The *Sons of Faction* saw there was no *comming at the Scepter*, till they had removed the *Crozier* , so that through the sides of *Episcopacy* no lesse then Monarchy was struck at. But the better to disguise the busines , some *Criticismes of Law* were laid to their charge , and upon this nicety must the first, and one of the main Branches of *Magna Charta* be broken, which our Ancestours so Religiously kept , so often asserted with their dearest blood : Little imagining that ever Posterity for so slight a matter would have made so wide a breach in it, after above 30 *solemne Confirmations* in successive Parliaments. For this must the poor Clergy loose their *Birthright*, & be eternally disabled from *Voting within those Walls*, for which they can plead above 1000. yeares *Prescription* ; their Title being never once questioned , till the inconsiderate Zeal of some Male-Contents about 19 years since in *May 1641*. unhappily moved that *black Bill* : whereunto through the necessity of the times, full of Tumults, and uproares, the Royall *Assent*, to purchase Safety , with an *unwilling willingness* was yeilded, I cannot say *given*, to so great a distresse was Mayesty then reduced. I passe by those un-Parliamentary irregularities, which some take notice of , the Repulses it mett with , but being to serve the present Interest, by subtle contrivances at last was carried. And from this Critical Epoch may we date the rise of our late Embroilements, and wild Confusions , under which miserable *England* has so long groined , and the whole world stood amazed at. All the wealth which the Piety of our Fore-Fathers had been so many ages in heaping up, all the Priviledges which their Prudence had so deliberately conferred, being in a few dayes Passion swallowed up. Well, admit the present Bishops, did *unadvisedly* runne into a *Premunire* , could no Personall Fine , or Punishment exiate their *Delinquency* ? Must their *Innocent Successours* still smart

smart for it? Must so many *merits* of their worthy *Predecessours* be buried in the Grave of ungratefull Oblivion? It were an easie matter to produce a large Catalogue of *Eminent Prelates*, who by their *prudent Advice* have oftentimes prevented Bloodshed, preserved Peace, saved a *sinking Kingdome*, and a dying *Religion*. Many good works have they done amongst us, many Colledges, & Schools erected, and endowed, many material Churches by their munificence, and *living Temples* of the Holy Ghost built by their ministry, and for which of these must they now be thus hardly dealt withall? Thus disfranchis'd? That they who heretofore carried the principall stroke in Cabinet Councils, and publick Dyets, are acknowledged in a Recorded Statute, an * *High* and one of the *greatest* *8 Q. Elizab.*
Estates of the Kingdome, must now for ever be excluded the two *c. 1. Cooks.*
great Assemblies of the Nation, as not concern'd in the civil Peace, and be denied Representatives to enact those Lawes, to which they professe, and yeild most cordial Subjection, a Priviledge granted to the *meanest Mechanick in a Corporation*, the *ayrnest Bumpkin* in a County, that can but *zwear* has *Vorty Zhillings* a year: Every other Profession being admitted, only Religion and Learning voted out of doores. But if this holds, what a fair advantage will the *Romanists* have to upbraid us, with a Parliamentary Religion, when the profound Mysteries of the Trinity, the knotty Controversies of Predestination, Free-will, Perseverance &c. must be stared by those, some of whom many times possibly may be better acquainted with the nature of a *Hawke*, or *Hound*, *Buying*, or *Selling Commodities*, then such sublime Speculations. (Pardon the Expression, which the Iniquity of former times drew from me, and is not intended to reflect upon any worthy Patriots, whereof this Nation can boast as large a number as any of its neighbours) I say, let it be seriously considered, how we shall answer that *Cavil*, when the most competent Judges of such matters are clean casheered, no regard being had of their Ripe Abilities, and exquisite knowledge.

Not to mention the *Popish Lords*, who are grown so *numerous*, all of a *Judgment*, and watchfull to lay hold on every opportunity to *merit* by promoting the *Catholick Cause*, and one Pocket may carry a great many Suffrages, whereby much danger may ensue, unless timely *ballanced* by the *Lawn-Sleeves*. The crafty Jesuite is

not

Cook 4. Inst.

not ignorant of this, who keeps a Jubile to see what a wound is given to the Reformation, how much ground he has got by debasing our English Clergy, whom of all the world he formerly most dreaded, but if their *Plumes be thus pul'd*, their *Revenues impaired*, their *Priviledges abated*, he then hopes to deal well enough with them. And we must look to see every stone moved, *Rome, Geneva & Munster* joyning, to compass the continuance of this misery. But let not them despaire who have *Cesar* on their side. We know that by the Law of the land the King is *Guardian* to the poor Orphan Church which is ever said to be *infra etatem*, in its minority, & in *Custodiâ Domini Regis*, and now is the time for Majestie to appeare both for the Churches Honor, and its own Security. For of late yeares there hath been an *unhappy Notion* started, and kept up by some (no well-wishers to the Scepter) that the Three Estates of this nation consist of King, Lords, and Commons, which how farr it may countenance former *Actings*, and indanger future Disturbances, I humbly submit to the prudence of those that are better able to determine. But the Consequences of that opinion seeme directly to aime at the *Levelling* of Sovereignty, and making it accountable to the other Two (in their esteeme) Co-ordinate Estates. Now Restoring the *Spiritualty* the only *True Legal 3 Estate*, is the hopefulst expedient to remove that Destructive Principle out of the mindes of the fickle multitude. So may the *Crown* be safe, and the *Miter* no longer trampled upon. And certainly tis high time for men to relent of their merciless Cruelty towards learned Industry. The old Rule was *Nulli sua Pietas debet esse damnosa*: but now that Complaint is again fulfilled in our eares, the Publishers of Salvation whose feet ought to be beautifull, are reputed as the Filth of the world, and the off-scouring of all things; so that in the bitterness of their soules they may well cry out, if their hopes were only in this Life they were of all men most miserable. I take no pleasure in upbraiding an ungratefull Nation: But is, this the Reward of their unwearied Paines, incessant Studies, early Rising, and late watching, beating their Brains, wasting their Bodies, and contracting incurable Diseases? Is this the Thanks for their Charity to the poore, neglecting their Families, Relations, and Acquaintance for the glory of God, and the good of their Country? must they onely have Discouragements heaped upon them, bread,

water

water and Rags (if some had their will) thought too good for them, a small Income, a common Priviledge grudged them after so many yeares *Labour, Sweat, and Cost.* *Is this for the Honour of our Reformation, and becoming the Gospel?* Doubtles the prophane world will be apt to conclude that Christ is a hard master, that suffers his Servants thus to be trampled upon, and few will beleieve that Godlines hath the promises of this life, or that Wisdome hath kept its word, Riches and Honour are with me *Prov. 8.* when other Callings run away with all the Rewards, and the greatest Deservings, the highest Ingenuiry, the most Exemplary Holines in This, meet with nothing but Frowns, Contempr, and Debasing.



THE CLERGIES JVRISDICTION.

CHAP. I.

The Nature of Jurisdiction explained, and the Regal Supremacy asserted.

WE come in the last place to *Jurisdiction*, which may be defined a coercive Authority in externall judicature relating to the execution of Lawes. This we grant primarily to reside in the *civil Magistrate*, to whom the Sword is committed, the establishing of Lawes belongs, and whose right it is to appoint Judges in all causes, Here then is the Fountain

Fountain of all Jurisdiction, which branches it self into two *streames*, *Spiritual* and *Temporal*. And that originally it proceeds hence is manifest, because *Appeales are ultimately made hither*. Thus we find *S. Paul* Act. 25. appealing from the high-Preit, to *Ca-sar*, as from an Inferiour Judge, to the Sovereign; the last *Ap-pellation ever denoting supream Jurisdiction*. Thus amongst us, if a man takes himself to be wrong'd in one of our Country Courts, he may remove the *Action to Westminster Hall*, and if Justice be denied there, in cases of grand import, the last reserve is the *Parliament*; as the *Highest Court of Judicature in the Nation*. The Church of *Rome* was not ignorant of this, who strugled more in matters of Appeal, then any other, as being the fairest flower in her Garden, and this once cropt, you see how soon her power withered. This might farther be proved from the example of *Josuah*, commanding the People to be circumcised, from *Jehoshaphats* appointing the Priests to judge between blood and blood, from whence the *Royal Supremacy & Jurisdiction* in their respective Dominions doe invincibly follow. Nor did the Ancients ever question it. For *Aster Menevensis* styles King *Alphred*, *Omnium Britannia Insule Christianorum Rectorem*, and the Confessor entitles himself *Vicarum Summi Regis*.

Lamb. Ar-
chaion.

We doe then in all humility, acknowledge the supream Authority of the Magistrate, not only in Civil (which the *French Pragmatique Sanctions* challenge) but in Church matters, and farther, that a Magistrate as such, whether Christian, or Pagan it matters not, ought in all things to be obeyed, that are not contrary to the word of God, and then passive Obedience becomes the Gospel, Resistance being in no case lawful. We doe look upon the King *ὁς θεός ἐν ἀρχαῖς*, & with *Menander* *ἐκκλησιαρχία θεῶ ἐμψυχον*. And I ever thought there was much of truth shadowed out in that Poetical fiction, that Majesty came down from Heaven, whence the ancients made it the Daughter of Honour and Reverence. Nor dare I condemne those swelling Titles every where in the Civil Law given to, and own'd by Christian Emperours, as *Numen, Oraculum, Sacratissimus Imperator*, which some zealous eares amongst us would account little lesse then Blasphemy. But any that have acquaintance with the Jewish customes, and Language will soon resolve them, that twas an usual thing with holy writers, to style every

Tertul. Apol.

every thing *Divine* that did excell and was eminent, *v. Drusus* in *Gen. & Briffon. de Formul.*

And let not any one imagine that this is any derogation from the Honour of God, or the Pride of Princes hereby heightened, the designe only is to mind them, whose Person they represent, whose Servants they are, and that they ought to imitate his Justice Mercy, and Bountie. Old *Homer* calls Kings *Διοσκονες*, nourished in the bosome of *Jupiter*, and from this divine Originall, some derive their miraculous Vertues, which we see *Hereditary* to some *Royal Families*. Thus the *Curing the Kings Evil* with our Princes, and if we will beleave *Car. Tapian*: the Relceiving persons *Possess* by the King of *Spain*.

I have dwelt the longer upon this subject, that none may suspect what ensues to have the least aspect towards *Rome*: nor on the other hand let any fasten such *odious Consequences* upon this Doctrine, as some malicious Jesuites have done, as if we made our Princes Popes, and gave them an unlimited power of imposing in matters of Religion at pleasure. We never asert that our Kings have power to make *New Formes* of worship, *New Articles of Faith*, but to take care that all things within their *Dominions* be ordered according to the revealed will of God. And as much, as *Usser Primord.* this comes to *St. Ausin, Eleutherius* to *Lucius* (*vicarius Dei estis in Eccle. Brit.* *regno vestro*) and the Ancients have ever with one voice, attributed to Princes, and none questioned, but some late *Parasites* of the Roman Ante-Christ.

This laid down weel fall roundly to work and that some jurisdiction to curb prophane, and erroneous persons, to keep the unworthy from Sacraments, and in case of obstinacy to forbid the faithfull society with them, that such moderate Power not exceeding the bounds of *Excommunication* dos by a *divine right* belong to Spiritual persons both Christs commission *Mat. 18.* and the Apostles practise *1 Cor : 5. 4* sufficiently warrant, and none ever questioned but an envious *Selden*, and some *Physicians*, who wanting other *Practise* made the Church their *Patient*? Set aside these, and the former Position has hardly mette with any adversary.

All the difficulty is, how tarre *Civil Jurisdiction*, by the favour of Princes permitted to them, may with a *Salvo* to the Sacred Function be exercised. For tis owned that *Temporal* power can-

not be challenged by *Ecclesiasticks* as their due, but is a *right Imperial*, and *Royal*, yet Princes to whom it properly belongs both may, and have often delegated the exercise of it, even to their Clergy. Most of the First Christian Emperours having experienced the integrity and prudence of the *Ecclesiasticks* left it to the liberty of the Plaintiff, that entered the Suite, either to make the *Bishops Judges*, or to have recourse to the Civil Magistrate. Thus *Constantine, Valens, Gratian, Valentinian, Theodosius, Arcadius, Martian, Leo, Anthemius*, and *Justinian*: As may be seen in the Imperial Edicts yet extant.

CH A P. II.

The Original of Ecclesiastical Courts.

IF we should trace up the Original of *Ecclesiastical Courts*, we shall find them grounded upon the counsel of the Apostle, 1 Cor. 6. where he advises the Christians; when any contentious Suits arise amongst them (as in all Societies such must be lock'd for) that they should not to the dishonour of Religion, betake themselves to *Pagan Tribunals for Justice*, but let *their brethren decide matters*. But who these were, is a great *Quere*, the 4. v. seemes to put it upon those that were least esteemed, which cannot be the Preachers. But *Theophylact* carries the sence thus, that 'tis an answer to a tacit objection, that some would be apt to say there is not a wise man in the Church, that can Judge. Well, admit according to that opinion, there be not one prudent person found, yet rather appoint those that were never so contemptible, and little esteemed in the Church your Judges, then go to the Heathen Tribunals. But *Ambrose* on the place, is more express, that Ministers are appointed Judges. And if the Vote and practise of Antiquity, which is commonly none of the worst Expositours may be taken, matters will be yet more clear; Many scattered passages there are in *Ignatius, Tertullian, Cyprian, &c.* looking this way, but being under the *Lash*, they are fain to whisper only, and durst not speak out.

I shall

shall not much stand upon those Canons, that pass under the name of the Apostles, where we read that the Bishops ought to meet every 2 daye of the week, to judge causes, and a Tribunal is ascribed to them, with power of deciding all controversies. Nor yet upon that of *Clemens Ep. ad Jacob. Fr. Dom.* where tis express, If any of the Brethren have differences among themselves, let them not goe to the Heathens for Justice, but let the Presbyters of the Church decide it. Now both these, however censured by some as spurious in respect of the titles they bear, yet cannot be denied to be very ancient. And in the 2 Ep. of *Marcellinus*, *Quaecunque contentiones inter Christianos orta fuerint ad Ecclesiam deferantur, & ab Ecclesiasticis determinentur.*

We have indeed but few genuine peices remaining, of those poor persecuted times, wherein the distressed Believers were glad to make hard shifts, and fearfull to do any thing that might create jealousy in the minds of those cruel Tyrants, whereis openly to profess the declining of their Tribunals, had been crime enough. Yet *St. Hierom* (a curious searcher into old records) saith, Priests from the beginning were appointed Judges of causes *l. de 7 Ordin. Eccles.* And when they could use freedom, then we have them speaking aloud. For *St. Ambrose* pleads the Apostolical Commission *Ep. 24. secundum sacra formam preceptonis, quam cum Apostolus induebat. S. Austin* seconds him, and saith this task was imposed upon Spiritual persons by *St. Paul*, to decide *inmultuossimas perplexitates causarum alienarum de negotiis secularibus, De Opere Monachatus. c. 29.*

I shall conclude this with a testimony of *Calvin*, whom all know to be no friend to the Episcopal Hierarchy, yet even he acknowledges *4 Instit. c. 11. §. 10.* That the Primitive Christians, to prevent wrangling suits were wont to commit their differences to be decided by their Bishops: and this held till the Magistrate received the Gospel.

But that which carries the greatest weight with me, is the Universal Practise immediately after the Scepters of the earth stooped to Christ: for I cannot imagine that so great a novelty would have been embraced without any contradiction, and not have been reproved by so many Eminent Worthies just escaped out of the flames of persecution, the School of Holinesse. Tis

more than probable then that by virtue of the Apostolical precept, of ending suits among themselves to prevent scandal (it being the main employment of the Ministry to make peace between those that are at variance) in the Primitive times the whole management of differences was entrusted to the Clergy, as being persons of the greatest sincerity and ability. Now *Constantine* at his entrance upon the Government, finding it so, wisely considered how much the Authority, and Reverence of Religion did conduce to the expediting of Causes, and discovery of captious actions. For this was not done unadvisedly, sundry weighty reasons being subjoyned, as will appear, if the Laws be perused. As first, because 'twas hoped it would tend much to allay the heat of wrangling, choak the malicious seeds of contentions, 2ly Because the Judgments of Bishops were lookt upon as true, uncorrupted, and piercing, whereby the Sophistry, tricks, and shifts of the Law might be prevented, and poor men, entangled in the tedious lasting snares of vexatious actions, might have a speedy issue put to their affairs. Now the good Emperour conceived they might well be intrusted with his own most important Negotiations, and his Subjects estates, to whom God had committed the care of their precious Souls: therefore upon these prudential considerations, being satisfied in the usefulness and integrity of Spiritual persons, he made their Jurisdiction Authentick, giving it the Royal stamp, allowing no appeal from the sentence of the Bishops, but making it as conclusive as his own, leaving it free to any

ὅς ἐποκόπων ἐπιτελείδαι κρίσι, καὶ βύλωνται οὗς πολιτικὸς ἀρρογ-
ται παραίσιδαι. *Zozom. L. 1. c. 9. Niceph. L. 7. c. 46.* who adds that this privilege lasted to his time under *Andronicus A. 1300.*

Valens and Valentinian, A. 365. enlarged it, and entrusted them with the rate of Commodities sold in the * Markets. But their Jurisdiction has been in several Ages very various, sometimes increased, sometimes clipt, as the Emperours were more or lesse favourable to the Church, who ever kept the Sovereignty in their own hands. *Constantine* was then the first that passed the *Royall Grant* in favour of the Clergy, permitting the cognizance of all civil matters even between Laymen to the Episcopal Tribunal, if either Party did require it, though the other denied his consent, and their appeal was to be obeyed by all the Magistrates, whenever made,

* *Cod. Leg. 1.*
de Ep. Aud.
Tit. 7.

made, though the action was already commenced in another Court.

Arcadius and *Honorius* did a little retrench this unlimited power, yet still allowing it, by the joyn't consent of both parties, and making the Bishops, as *twere*, *Referees*. *L. signis ex consensu. c. de Audientia Episcopalis*. and their decision to be binding and final without any appeal. This was afterwards ratified by *Theodosius* and *Justinian l. Episc. c. eodem*. Nay *Justinian* reposed so much confidence in them, that he made them *Overseers* of the Secular Judges, *Novel. Const. 56*. This then has been the avowed Catholic Practice of all ages, and Nations where the Gospel has gained footing. For the greatest enemies the Church had, could never yet deny, but that the Bishops have had their Tribunals for above these 1300 years erected by *Constantine*, confirmed by *Arcadius* and *Honorius*, *Theodosius*, and *Valentinian 3*, Only some curiously mince the matter, and allow them power to hear Causes, and to become *Referees*, and *Umpires*, by consent of both Parties; but yet they will not hear talk of any coercive Jurisdiction, though many Eminent Civilians attribute it to them: and *Accursius* interprets *Audientia Episcopalis*, a term frequent in the Code by *Jurisdiction*. Nay tis evident, there was no Case whatsoever, except only Capital (for *Ecclesia sanguinis Iudicium non profert*) but might be decided by the Episcopal Tribunal: and *Constantine* forbad the Greatest Prince in the Empire to revoke what once the Bishops had decreed, *Euseb. Vit. Const. L. 4. c. 27*. In proceſſe of time the Magistrate having encroached upon, and almost outed the Clergy, *Charles* the Great revives that good old Law of *Constantine*, confirming the same Jurisdiction to all Bishops, repeating the Charter word for word *Cār. Mag. in Capit. l. 6. c. 28*. And here methinks this very name, fills me with hopes, that *Charles's* are *born for the good of the poor oppressed Church*: and that God hath miraculously raised up to us, as true a Nursing Father, as ever bare that name, or our Island produced. And truly, who can expect lesse from the Son of such a Father, who dyed the Church's, Nay the Clergies Martyr: for if he could have dispensed with his Conscience, and Coronation Oath, to sacrifice them, and their Revenues to the coverous fury of a prevailing Adversary, the 30. of Jan. need.

need not have been noted with such *Black Letters* in our *British Almanacks*.

C H A P. III.

The Ancient Union of Spiritual and Civil Courts in this Island. Corruptions no sufficient Argument for their utter Subversion. Replies to sundry Objections from the example of Christ, the Apostles, and Primitive Christians.

THe exercise of Jurisdiction by the Clergy in this Nation, may be deduced out of the best Records extant, from the time the Gospel was publicly owned among us. There's nothing more frequent in our English Annals, then Ecclesiastical, Spiritual, and Christian Courts. I shall not multiply proofs, but content my self with two, the first out of *Brompton*, where amongst the old Laws of *Ethelstan* we read, *Episcopo jure pertinet omnem relictitudinem promovere Dei viz. & saculi, & debent Episcopi cum seculi judicibus interesse judiciis*. And the ordering of all measures and weights in each respective Diocess is there made of Episcopal Cognizance, the Standard being left in the Bishops hands. The next is of *Spelman*. *Comes præsideo foro Comitatus non solus sed adjunctus Episcopo, ut Alter alteri auxilio esset, & consilio, præsertim Episcopus Comiti, nam in hunc illi animadvertere sape licuit & errantem cohibere. Gloss. v. Comes*. So much confidence did the Antients repose in the Clergy, that the guidance and oversight of most temporal affairs was entrusted to them, and a check upon the Laity. Thus lovingly with all sweetness, and Candor for 4. or 500. years, during all the Saxon times, and till that unhappy division by the Conquerour, who defaced this beautiful, this regular composure, did Church and State Officers sit together, in the morning determining Ecclesiastical affairs, and in the afternoon Civil. No jars, no clashing of Jurisdictions we e then heard of, no Prohibitions issuing out from one Court to obstruct the course

*Chron. Joh:
Brompton. c. 24*

course of Justice in another, thereby hampering the poor Client, that he knows not which way to turn himself. And I am perswaded theres no better expedient to prevent lasting vexatious Suits, and to relieve the oppressed; Then again to reconcile these two Jurisdictions, that according to the Primitive usage, as well Spiritual, as Temporal Judges may be appointed in all Courts, that *Moses* and *Aaron* may not quarrel, but walk hand in hand. Though I know this design does not well relish with many of the *Long Robe*, and tis feared the attempting some such thing purchased our late Arch-Bishop no few enemies, and was one special cause of hastning his ruine. Yet *Selden* (a Lawyer too) *L. 2. de Synedrjiis*, proves, that for the first 4000 years and better the civil and Ecclesiastical Courts continued united, and the first Distinction proceeded from Pope *Nicholas*, *Grati. Distinc. 96. c. cum ad verum*. So that the making Ecclesiastical Government independent, and seperate from the civil is but a late Popish, and Consistorial Innovation.

Tis true, it cannot be denied but there have been grosse Corruptions in these Ecclesiastical Courts, many personal infirmities in the Judges, for who ever lookt upon them as other then flesh and blood: Though none but Prophane *Chams* would lay open, and scoff at the nakednesse of their spiritual Fathers, and like flies stick only to gald backs, and sore places, never taking notice of the many eminent deserts, and service both Church and State have received from men of that Coat. How different was the great *Constantines* Temper? who profest he would put off his Royal Robes to hide a failing in a Bishop. *Theodorel. L. 1. c. 11*. If some have miscarried let them smart for it, and let not the Calling suffer. Would it be accounted a piece of Justice, if some *Lawyers* be corrupt, presently to raile at, and overthrow the whole Profession, as incorrigible, pull down their Courts, as not capable of Reformation. But grant they have erred, let that calling which is innocent throw the first Stone. I must needs say better reasons must be shown, then ever were yet produced, before I change my judgment, That there are none fitter to advance designs of Peace, and publick Tranquillity, to administer justice, and hear the cries of the oppressed, then these men of God. *Facilius enim Dei timore sententiam Legis veram promunt. Ambro.* Certainly, if this had been so abominable,

so Anti-christian I cannot perswade my self, that the Learning of *Jewel*, the Humility of *Hooper*, and the sweet Innocency of *Coverdale*, would have used this Authority and Jurisdiction, which we never find they did in the least Scruple.



But we must not expect to carry it thus, a little Squadron of Difficulties is yet to be encountered. And first we are urged with Christs example in refusing to decide a title of Inheritance between brethren *Luk. 12.* But I see little reason that this should be binding to his ministers. Tis true we finde him ever careful not to give offence, whereas if he had taken this Jurisdiction upon him, his vigilant Adversaries that ever waited for an advantage against him would soon have been upon his back, and charged him with Treason. For what greater intrenchment upon the royal Prerogative, then in anothers Dominion without leave, or Commission to hear and determine causes? Common prudence therefore which our Redeemer (the wisdom of the Father) ever followed, forbade him then to intermeddle. But where do we finde he tied his disciples hands when times favoured them, and the Supream Powers thought good to imploy them. Indeed to remove all doubts and feares out of the minde of jealous Herod, he tels him, his Kingdom is not of this world, I come not to trouble or dissolve established authorities, your State may be secure, and my Gospel Preached, none that belong to me will raise commotions, or take upon them to rebel against their lawful Prince, my servants shall not fight for me, nor by tumults, and wars set up my Kingdom. And all the Apologies of the Ancients manifest how the Christians ever prayed for, and submitted to the Emperours. Let no man then think this Position strang, that Church-Government should bear some Correspondence and Analogy with the State. For can it rationally be conceived, that Christ who was so carefull to enjoin his followers, to give to *Cesar*, the things that were his, would have his Gospel bring innovations and changes in well established governments, confusions upon lawfull Authority, especially when the Model of civil affaires does not contradict, but may consist with Religion. And I am
here

here confirmed by the practise of *Moses*, who did not crosse the Jewish Policy, but fitted the Sacred Government to the Secular. And what sad Consequences have ensued the contrary opinion, the late madnesse of our *Fifth-Monarchy-men* have abundantly demonstrated.

Nor is all Jurisdiction forbidden in that 20. *Mat. 25*. The plain meaning of that text being no more then this; the Apostles quarrelling about Precedency, Christ reproves them: tis clear, they dreamt as the Nation of the Jews, foold by their Rabbies, that the Messias should have a glorious Temporal Principality, as was *Solomons*; and therefore contended who should be the greatest Favourites. Now Christ confutes that vulgar error, answers pertinently to their thoughts, and tells them they must not expect to Lord it over their Brethren: that proud insulting Tyranny, which others exercised, is not for them, their Government must be mild, humble, and consist rather in obeying, then commanding. And to this purpose he proposes himself for their pattern, who came to Minister unto them: yet I hope twill be granted, there was some difference between the Master, and the Servant, some Superiority of Christ over his Disciples. Nor can that levelling Principle be deduced hence, for *nihil magis inaequale, quam aequalitas*. Tis farther observable, Christ instances in the Kings of the Gentiles, whose Empires were stained with cruelty and luxury, not the Jews, whose Government for the most part was more moderate, having so many Holy Laws to direct, so many Prophets to instruct them. But with the Gentiles twas otherwise: the Roman Oratour sets out their manner. *Regum sunt haec imperia. Animadverte, & dicto pare, & illa mina, si te secundo limine offendero, morieris*. This then seems the genuine sense, the Kings of the earth Lord it thus proudly, insolently, unmercifully, you shall not do so, but command in love, in humility, in moderation, so that he does not strike at the root of all Authority & Jurisdiction amongst his Disciples, only ye shal not do nineer as the Kings of the Gentiles, but in all lowliness rule as the son of man, *Dominatio interdictis, indicitur ministerium*. But the grand Objection that lies against it is, that we never find the Apostles to have taken this upon them, whose Practise should be a Pattern to their Successours, This argument I have often heard urged as the Great *Achilles*: but I wonder any sober

*Tully pro;
Rabrio.*

Bern.

learned men should lay stresse upon it. Methinks reason and prudence should suggest a distinction of times, and inform them that many things may be judged unlawful in one age, which in another are found expedient, and necessary, and so on the contrary. Whereas if the Apostolical practise were alwaies binding, how comes it to passe that many things approved by them as Community of goods, extreame unction, abstaining from blood, &c. are now, in the revolution of time, disused, and condemned. Nay, if there were any strength in this arguing, the brainsick Anabaptist, and railing Quaker, would be furnished with an unanswerable Plea against our Churches; for who knows not what hard shift the poor Primitive Christians were put to, how glad they were of private Houses, Barns, yea Vaults, and Caves of the Earth to meet in, and secure themselves from the rage of their watchful Persecutours? Hence in some antient Monuments, Churches are called *Crypta*, hiding places, because through the violence and heat of persecutions, the poor Christians, were forced, with *Nicodemus*, to go to Christ by night: and we have frequent mention of their *antelucanos hymnos* in *Pliny Ep.* &c.

But no sooner did God restore a little breathing, and send peace, then they left their dens and holes, building and beautifying Churches, and providing liberal maintenance for their Preachers. And now theres nothing more common in *Nazianzen* and the Greek Writers, then to stile them *Basiliads* from their Majesty, being the Pallaces of the great King. For in *Constantines* daies, when the World newly divorced from idolatry, was enamoured with true Religion, they thought they could never build their Churches stately and sumptuous enough: but how strangely now have they left their first love. If a man should read of, or view the Ancient Piles, the Greek St. *Sophia*, our English St. *Pauls*, the Roman St. *Peters*, &c. The stupendious Church at *Tyre*, described by *Eusebius*, at *Antioch* by *Hierony.* in *Chron.* at *Hiernsalem* by *Cyril* in his Catech. which the Piety and Devotion of our Fore-fathers erected, and compare them with our Modern whiffing Structures, he would blush at the sordid penuriousnesse of degenerating posterity. I must needs say it has oftentimes moved both *pity* and *anger* in me, to see an Impropropriating Patron flaunting it in a Royal Fabrick, when the House of God adjoyning, crouched

crouched under it in a tottering ragged condition—*Exclamet Melicerta perisse frontem de rebus*—*David* was otherwise minded, 2. *Sam.* 7. 2. Nor would former ages have born it, who spared no cost, no pains to build, no care to consecrate these *Αγία* (as the Greek Authors rearm them) those Sacred Structures. For this is no novel Invention, the practise we find as antient as *Hygynus* A. 140. whose Decree to that purpose is yet extant. *Decret. de Consecrat. Dist.* 1. c. *Omnes Basilicae*. And come but a little lo ver, when *Constantine* had erected that Magnificent Temple in Mount *Calvary*: *Zozomen* informs us *L.* 2. c. 25. what an Assembly of Reverend Prelates there met to Consecrate it. Nor was any thing more usual amongst the Primitive Fathers. Nay it appears by the Titles of severall of *St. Austins* Sermons, that they had Solemn Anniversary Commemorations upon the Consecration day. But to return.

Athanas. Ep. ad Constant. Ambro. L. 1. Ep. 5. St. Aust. Serm. de Temp. L. 56

Tis confessed then, that in the Apostles daies, and the Ages immediatly succeeding, the poor Christians were glad with any thing, and reckond the least toleration a favour: but when the State of the Church was changed by those great Revolutions in the Roman Empire, order and decency began to be lookt after. And is it not downright madnesse in any to complain of their *happinesse*, to desire to return to that condition, which the Fury of Persecutors enforced, as if they repined at the goodnesse of a merciful God, who dissolved that Cloud, and made the Sun of Prosperity to break out upon his weather-beaten Church, turning a dark morning into a glorious evening. Now if such a wild rate of reasoning be allowed, a man may as well conclude, that all the Succeeding Kings of *England* are bound to lay aside their *State*, and *Imperial* Robes, because time was, when his present Majestie, in his own Kingdom, to escape the malice of his implacable enemies, contented himself with a *homely Cottage*, besid a *Millers Horse*, and had none but *Dame Joane* to wait upon him. I know the Courtiers would smile at such Logick, though I must needs say tis little better, that our learned Sophisters use against the Clergy.. For thus they reason, the Clergy enjoyed *small Revenues, lesse Honours, few Priviledges, no Jurisdiction* under Persecuting Pagans, therefore they are immodest to desire it should be otherwise under *Believing Christians*. To speak plainly then once

(* Nay a Loyal Oake.)

for all, in point of Doctrine I reverence those early times equal to any man, but in matters of Discipline, Order, and Decency, to draw Rules from a poor persecuted Church, that was constrained to use what the necessity of the times would bear, not the Gospel allow, and to confine posterity, to their hardships, when the wise providence of God has changed the Series of Affairs, is just as if a man should be enjoined to wear the same Garments in fair weather, as he did in foul, and not to change the nasty attire he had on in a boisterous Storm, though the clearest Calm succeeds it. The time then that we must principally eye, is that, when God gave Rest & Peace to his long afflicted Saints, when the Great Monarchs of the earth veiled their Crowns to the Crosse; and if from those daies their Civil Jurisdiction cannot be cleared, let an irrevocable Decree be passed against them. Not that I grant them wholly excluded in those elder times, many footsteps of their private meddling in secular matters being every where found, as has already been evidenced. But how could it rationally be expected, that any Precedents of such Eminent Authority, and Power conferred either upon the Apostles, or their immediate Successours should be produced; since the *Jus Divinum* of Civil Jurisdiction belonging to the Clergy is utterly disclaimed, and no title pleaded to it, but the Favour of the Supreme Magistrate: and who is such a stranger in *Israel* as to be ignorant, how little the Professours of the Gospel were then set by, when all the Great Potentates of the World ran madding after Idols, and twas no lesse then death to own our Crucified Redeemer. So that if this be strictly stood upon, we shall at last joyn issue with the Frantick *Enthusiasts*, who deny it lawful for a Christian to be a Magistrate, there being no expresse command for it in the New Testament; nay many Texts seemingly against it, not any Example of the Apostles, hardly of the Professours of the Gospel, (known to be such) in those early times, that bare an Office. Well then, for the first 300 years the Church had no Kings for its nursing Fathers, none that gave up their names to Christ in Sovereign authority, the wise God that disposes of all times, and Estates, reserving that mercy for these later daies, exercising them with great tryals, till the Earth was watered with the blood of Martyrs.

And hitherto we have little or nothing of outward coercive
Juris-

dition, all was inward, all was Spiritual, and thus was the *faith planted, the gates of Hell pul'd down*, and the Pagan World reduced to the obedience of *Christ: Providence purposely so ordering it, that no flesh might boast*. Now all this while to say the truth, there was no need to have recourse to outward Force, the Apostles, and their immediate Successours being furnished with such miraculous extraordinary power, which we see they did sometimes exert to punish the disobedient, as *Ananias and Sapphira* with death, *Elymas* with blindness, &c. But miracles once ceasing, and the immediate assistance of the Spirit being withdrawn, to compensate this losse, God turned the heart of the Magistrate: and Christian prudence told them, that to place Governours in the Church, and to deprive them, (thus deserted by the Spirit) of all coercive Jurisdiction, was to *expose their Office, render their Persons ridiculous, and their Commands insignificant*. And has not our late experience sufficiently confirmed this, Sin being grown bold, and wickedness never more improved; the Schismaticall prophane World making but sport with the Embassadours of Christ, whilst left naked and destitute of all Civil Jurisdiction. Whereas in those Apostolical primitive times, there was no fear, no danger of such inconveniences, Love to Christ being then more ardent, and the cruelty of the merciless adversary more outrageous, the one *sweetly alluring the Professours of the Gospel, the other terrifying them into a dutiful Conformity*.

I am none of those that delight *δελύειν ὑποθήκην*, to doat upon my own Notions, so that if any man will take the pains to produce clearer evidences, I shall readily be his Convert. Till then my judgement is, and I can safely say has been ever since I was able to look into Antiquity, that the Matter here contended for, is, neither under the censure of *Inexpediency*, nor *Inconsistency*, nor the latter; For seeing tis a duty confessedly belonging to every Christian to bear down sin, and promote righteousness, and the end of all Jurisdiction, is to advance justice and restrain iniquity: I would gladly be resolved what there is so hainous, so unseemly for the Sacred Function in this Act, to *chastise the Disturbers of the Christian Peace* with Spiritual: and if that prevail not with corporal Punishments. Certain it is, the Blessed Angels do not look upon it as dishonourable to, or derogatory from their Holiness, at the Command

Command of God to correct the wicked even with death, *2. Cor.* 23. and why should it be thought so abominable, so unlawfull for the Angels of the Church. *Rev.* 2. being Commissioned by Gods Vice-Gerent to inflict deserved punishments on the workers of iniquity. *Dau.*

Not the former, if due Caution be used, that they keep within bounds, and that which was designed for their help, prove not their hindrance, too much taking them off from the weighty employments of their Spiritual charge. And I think it may confidently be averred, there are few of the preciseſt, but ſpend more precious time in other petty impertinencies, which might be better placed in the publick ſervice of their Country. However, theres little fear of any exceſs in this jealous age, and under ſo Gracious, ſo Prudent a Prince, who has reaped this benefit by his long calamity, as to be the *moſt Accompliſht for Government, of any Monarch in the World.*

Tis an Obſervation of ſome, that God ſeldom employs any in great Affairs, but he does exerciſe them with afflictions and tribulations : and the large ſhare his Sacred Majeſty has had in theſe, encourages us to expect no ſmall things from him, eſpecially when we conſider in what an *unpareleld manner* Providence reſtored him as a Peace-maker, not to *England* onely, but to *Europe*, as a Nurſing Father to his Languiſhing Church, which many had in hope and thought clean devoured. Now Eccleſiaſtical Jurisdiction is the Royal Jurisdiction, a Principal, inſeperable part of *his Royal Crown and Dignity.* Its Original was from his Noble Anceſtors, who ever eſteemed it their Honour to ſupport, and encrease it. *Conſtantine*, a Britain, and the Glory of Britain, began it, and tis hoped, it ſhall never be ſaid that any of his Succeſſours conſented to its Funeral, when it was in their power to give it a Reſurrection. The ſubſtance of our Common Law is comprehended in theſe three things, *ius Regium*, now happily reſtored, *ius Populi*, confirmed, and *ius Eccleſie*, which only has, and does ſtill ſuffer, by the late imbroylments. Nor can his Sacred Majeſtie ever hope to have his Deſire *accompliſht, and the memory of former paſſages buried in oblivion, till the Church recover her antient Rights, and Priviledges as well as the State.*

*Pez. I Com.
in 29. Gen.*



EPILOGUE.

I Shall now end all with a breife Address to the long-despised Clergy. The Goodnesse of your God, and Favour of your Prince, have once more restored you to your Charges, your Patrimonies, and (tis hoped) will ere long to your Honours, and Priviledges, which Sacriledge, and Usurpation for many years, have detained from you. Now it stands you upon seriously to consider, what *Design* the Lord had in thus *humbling* you: for certainly his *wise Providence* did not bring all this to passe for nothing. Be intreated then in the bowels of our Common-Redeemer, (though by one of the meanest in your number, yet a passionat-Well-wisher of the Sacred Function) to hear the *Divine Commands*, the *Royal Declarations*, the *Prayers*, *Groans*, and *Sighs* of your Country, which all with one voice cry aloud to you for *Diligence in your Callings*, and *Uprightnesse in your Conversations*.

These, these will make our *English Zion* prosper, and our *Hierusalem* a Praise in the Earth. But if through *Plenty* you forget him, whose *Person* you represent, and through *Security* turn again unto *Folly*, (give me leave to speak my fears) my Heart trembles to think what the issue will prove, if the Indignation of the Almighty once more break out. Many eyes are fastned upon you, so that the *least blemish* will be espied. And as your *Virtues* bring greater Honour to the Gospel then those of private Persons, so do your *vices* more *Reproach*. *Chrysostom Hom. 27. in St. Mar.* is my Author, *If a Preacher sin with the People, he shall not be punished in like manner as they, but far more grievously*: and better would it be for any such that a Millstone were hang'd about his neck, and he cast into the midst of the Sea, then to prove a just occasion of Scandal to any to speak evill of the waies of God. It hath pleased the *Great Disposer of all things*, once more to make trial of you. Let your Moderation be known unto all men, that none may complain
of

of your Jurisdiction (if re-establish'd) which the unquestionable Practice of all Ages, (except when wars, and persecutions put every thing out of Frame) will abundantly justify. May your Goodnesse equal your Greatnesse, your Humility shine in the midst of your Honours, the *memory of your late Afflictions, and Vows made in your low estate never dye with you.* Let your Conversation be with Covetousnesse, that the hungry Bellies of the poor, and needy may find the Benefit of your happy Restauration, that no envious eye may repine, no foul mouth rail at your large Incomes, but all may confesse tis more for the Glory of God, and the good of the Nation, that your *Charity be intrusted with these Revenues,* then the *gripping Avarice* of your Sacrilegious Adversaries.



READER,

THe importunate Haſt of the Stationer to diſpatch theſe Papers againſt the Seſſion of Parl. occaſioned many things to be huddled up, which happily ſecond thoughts might either have enlarged, or altered, and ſundry Errata's have eſcaped the Preſſe, which yet a Charitable Eye may wink at, or a favourable Pen eaſily correct.



FINIS.

